JOURNAL

OF THE

House of Representatives

OF THE

STATE OF ALABAMA

SECOND EXTRAORDINARY SESSION OF 1971

HELD IN THE CITY OF MONTGOMERY
COMMENCING MONDAY, NOVEMBER 15, 1971

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY SESSION OF 1971

FIRST DAY

House of Representatives
Montgomery, Alabama
Monday, November 15, 1971

Be it remembered that on the 15th day of November, 1971, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation conventing the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, we are today faced with a complete paralysis of State government in that the essential functions of a sovereign State cannot be carried forward, payrolls cannot be met for an indefinite period of time, and other business or legal obligations cannot be discharged unless and until the Legislature passes a general appropriations bill; and

WHEREAS, there is a critical need for appropriations relating to the administration of public education in this State; and

WHEREAS, there is a special and urgent need for new and expanded facilities for the mental health program in Alabama, and the expansion or establishment of more teaching centers for the trainable retarded and emotionally disturbed children; and

WHEREAS, there exist these extraordinary and special circumstances which compel and demand the convening of the Legislature of Alabama in an extraordinary session as prescribed by Section 122 of the Constitution of Alabama 1901, all in the public interest and for the public good.

NOW, THEREFORE, I, George C. Wallace, as Governor of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government in Montgomery, Alabama, at 6 p.m. on Monday, November 15th, 1971, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to appropriate monies for the general operations of the State, and make all needful supplemental appropriations, for the current fiscal year, and to appropriate monies for the general operations of the State for the next biennium.

2. Legislation to make appropriations for the support of public education in the State of Alabama.

3. Legislation to provide funding for the appropriations previously made for the Mental Health Program in Alabama.

In witness whereof, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this Proclamation at the Capitol in the City of Montgomery, on the 4th day of November, 1971.

GEORGE C. WALLACE,
Governor.

MABEL B. AMOS,
Secretary of State.

In pursuance whereof, at the hour of 6 o'clock P. M., on Monday, the 15th day of November, 1971, the Representatives of the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Joe L. Lane, Pastor, United Pentecostal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:
By Mr. Gloor:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House be directed to notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Mr. Gloor:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House, in accordance with the provisions of House Joint Resolution No. 2 heretofore adopted, Messrs. Turnham, McCluskey and Doss.

Also:

By Mr. Gloor:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 6:30 P.M. today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be named by the Speaker of the House, and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House, in accordance with the provisions of House Joint Resolution No. 3 heretofore adopted, Messrs. Turnham, McCluskey and Doss.

LEAVE OF ABSENCE

On motion of Mr. Robertson, leave of absence was granted for Mr. Culver, due to personal illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and ready for the transaction of public business.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Notifying the Governor that the Legislature is in Session

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Owen and Pelham.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. Relative to a joint session of the Legislature to hear the message of the Governor.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Givhan and Vacca.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Gloor, the House recessed until 6:30 o'clock P. M., for a Joint Session.

JOINT SESSION

The hour of 6:30 o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 3 heretofore adopted, for the purpose of hearing an address by the Honorable George C. Wallace, Governor of The State of Alabama.

The Joint Session was called to order by the Honorable Jere Beasley, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the Joint Session and delivered in person the following message:

ADDRESS BY
GOVERNOR GEORGE C. WALLACE
SPECIAL SESSION
ALABAMA LEGISLATURE
NOVEMBER 15, 1971

Governor Beasley, Mr. Speaker and members of the Legislature assembled in Special Session and fellow Alabamians.

Before I begin my remarks to the Legislature and to the people of our state, I want to say that we are happy to have in the audience tonight Mrs. Wade, Mrs. Rogers and Mrs. Livingston, who conducted the Mothers' March to Washington regarding the anti-busing matter, and I am glad to have you ladies here.

I want to say to the people of Alabama that I believe when this Legislature concludes its deliberations that you will be proud of their accomplishments. I'm hopeful of that and I know that you are. I believe that they will not let you, the people of Alabama, down.

We are going to have three sessions of the Legislature in order to minimize the cost because if every item that is to be considered was placed in one call, in my judgment, that would prolong the session and cost the taxpayers of Alabama even more money. I might say that the Governor cannot vote in the Assembly of the State. I do not have a vote. I can recommend only and I will recommend a program tonight that I believe to be in the best interest of the taxpayers and citizens of this state.

It has been very difficult to run the State since October 1 without a general appropriation or educational appropriation. I want to thank the banking industry of this state, the sellers, the suppliers and all of those who have cooperated to make it possible to continue to pay State employees and to carry on the normal functions of State Government.

I call you back in session at this time after approximately one and one-half months, hoping that would give you time to study the problems that exist and study the financial condition of the State of Alabama. I know you will expidite these proceedings and your deliberations. On those proposals that I make, I hope you will act soon. I know that there has been some statement that we may be here until May. Well, I don't believe that the majority of the Legislature wants to stay until May. If you do, that will cost the taxpayers at least another million dollars. Some say that we may stay until July. In my judgment, that will be another million dollars, also. I don't believe these few who talk about a prolonged session are speaking for the overwhelming majority of the Legislature of this state. You must act on the appropriations bill before Thanksgiving or the 23rd because in the General Fund Appropriations Bills we have old age pensions, the blind and the crippled aid, medicaid, the Prison Department, the State police, and unless we do have an appropriation bill by the 23rd, no old age pensioner will receive one cent for this month. I don't believe that this Legislature is going to let this happen.

To those who have said that we might appropriate the surplus of $9.5 million, let me say that the surplus is programmed in the General Appropriation Bill with an increase for old age pensions in the amount of $2 million, medicaid, prison, trooper increase cost, pay raise for the State employees, and the cost of the legislative session now assembled, and, therefore, if you use that surplus for the purpose of mental health, then you are going to cut the old age pensions; you are going to cut medicaid; you are going to cut the prison guard pay raise; you are going to cut the Troopers' appropriation; and you are going to cut out the pay raise for State employees. You will also cut out, in my judgment, the cost of operating the Legislature and you will have no balance left to operate on in the Treasury of the State which is absolutely necessary.

I might say also in the General Fund Appropriation Bill the care for the tuberculosis patients, the State employees' increase and all other functions of State Government—you must pay this bill, in my judgment, before the 23rd of this month.

The Educational Appropriation Bill that looks after the schools, colleges, trade schools and all the other functions of education, is before you. Unless you pass this bill this month, we will be without appropriated funds to carry on the functions of public education.

When I came to be Governor of Alabama, education was getting $129 million. This year just ended, they received $382,700,000. In my next year's appropriation bill, I have $416,500,000. For the second year, the biennium, $429,400,000, which is $80 million more for the next two years that education ever got in the history of Alabama. So, for those who say that we are going to take funds away from someone, let me point out to you that giving $80 million more is certainly not taking away but it is providing more than education ever received in the history of this state.

We have before you in this call the raising of teacher's retirement from one and one-half to one and three-quarters, which is a 20% increase for retired teachers of Alabama, which they rightfully deserve. In this bill we will give a 5% increase for school teachers' salaries the first year and 5% for the second year and an increase to the colleges, junior colleges and trade school. And this increase for school teachers will mean that during the time that I have served as Governor and my wife's having served as Governor, Governor Lurleen, we would have increased school teachers' salaries in budgets that we presented 56%. The increase in the benefits for retired teachers with this 20% increase will make 130% increase during the years of 1963 until this date. Hopefully, the first year of the next biennium, I will ask you to increase that in the budget from one and one-half to one and three-quarters.

As you know, the employees, the bus drivers, and the lunchroom workers were placed under retirement by you in the last session. I might point out that in retrospect when I think about the fact that we increased colleges 100% during the time that I was Governor in the first administration, and we saved the parents in this state $40 million by providing the junior college and trade school programs and that $40 million was saved in cheaper tuition and expenses of sending their children to college.

You have increased the medical school facilities in this state—the dental school, the nursing school, more licensed practical nurses to be trained, and more technicians. From 1963 until this date under administrations in which I

was involved, we had a $200 million capital outlay building program from the state level.

We have also provided for youth representatives on the Boards of Trustees of the various schools, and I might point out that this is, indeed, much educational progress in this state since the year 1963.

I will also state to you, my friends in Alabama, that I have raised with the help of my friends $500,000 for private schools since the year 1963.

Now, what budget are we presenting to you and how are you going to provide for the mental health program—Bryce, Partlow, Mt. Vernon, the Decatur facility, the Mobile facility, the Birmingham facility and the one to be built at Wetumpka—to provide care and custodial care for these unfortunate children and even grown-ups, who in many instances do not know the difference between night and day? How are we going to increase the pay of those working at Bryce, Partlow and Mt. Vernon, who are today being paid at the poverty level? And if there are any State employees who need an increase, it is those who work at those institutions in our state.

Recently, it was said that we needed $2 million to make Bryce, Partlow and Mt. Vernon fire proof. And since that notice has been brought to us, there will be legislation asking you to allocate through the bond program already passed $2 million to correct this intolerable situation that now exists there.

Our budget presented to you, the education budget and the budget for the General Fund and for the Mental Health Fund, will be that we have taken the revenues not yet appropriated and provided legislation introduced to you that we will allocate the money already coming into the State Treasury in the fashion and as needed by these various and sundry functions of State Government.

I want to tell the people of Alabama that I am convinced and know for a fact that we have enough money already coming in from the taxes that you now pay to fund every single function of State Government without one cent of new taxes on the people of this state, and I'll ask the Legislature *not* to place any new taxes on the people of Alabama during these three years. I might point out, as I said a moment ago, this envisions an increase for every function of State Government—not a single cutback as far as money is concerned to a single, vital function of State Government. Yes, in some instances we have one fund that has money here—plenty of money—not as much as some people would like to have because there are some who want more and more—but if we have money here and not much money here—why don't we just allocate some of the money here over here instead of taxing the people of Alabama even some more. Now, we know that it has been said that Alabama has the lowest tax rate in the Nation, and it does. We have a lower per capita per person tax of any state in the Union. And I am happy that that is the case. I hope that by the time this Legislature adjourns and I go out of office that we will still have the lowest per person tax in the United States. That is something to brag about. That's nothing to complain about, and I hope that we will always have the lowest taxes on the citizens of Alabama of any state in the Union.

I hope that during your deliberations you will take into consideration the fact that by the time you meet in Regular Session again, the organizational effort of the 44 executives from the groups that met with us the other day to

study State Government will make us recommendations that will save anywhere from $10 to $25 million in the operation of State Government. That is a study that has been carried on by 37 other states in the Union, and when our study is completed, I believe that we can come back two years from now and implement those recommendations to make State Government more efficient and to save more money than we ever thought about saving because Georgia estimates that they are going to save $50 million by this study; Oregon saved $20 million by the study. Other states saved $30 to $40 million and there is no reason why we couldn't save a minimum of $10 to $25 million as a result of this study.

I want to point out also to you Legislators that the return insurance premiums that I inauguarated as your Governor have brought $750,000 to the State. The abolition of the whisky agents has brought $10,538,000 and interest that banks pay on your state deposits—$14,920,000 now comes to the Treasury of Alabama that did not come prior to the imposition of interest upon State deposits in banks in Alabama.

I know that we have had some indirect taxes in the past, and there have been times when we have had direct taxes, when we had no inflation, no unemployment and economic conditions were fine and normal. But we do have inflation today. We do have unemployment and in my judgment, if you will adopt the budget that I have recommended to you, you can go back and tell your people that you are the only State whose Legislature met this year that didn't saddle upon the backs of the people millions and millions and millions of dollars of additional taxation. One State recently passed $581 million in taxes upon its citizens—not much larger than the State of Alabama. The State of Texas imposed a billion, 90 million dollars upon her people recently in consumer taxes, and I think that this will be an accomplishment that this legislature can be well proud of that you did not impose any taxes upon the people of this state in this session and you will run State Government in the next two years and during this administration on what we have. People are fed up to here in taxes. The national taxes are so high that you can hardly make ends meet, and there is not any reason for Alabama to compound that problem one iota by one single extra cent of taxation when we have the money that we need if we only allocate it like it ought to be allocated. When it is over, I hope that this legislature can claim that distinction, and you people who are watching this telecast—there are many people who want taxes. If you don't want any taxes, then you in your plant, and you in your shop and your mill, you sign a petition and send it to your legislator and tell them that "I don't want any more taxes." You write him a letter. You send him some telegrams. We're fed up to here, and in my judgment, they would like to hear from you because the only people they hear when they get on Capitol Hill are those folks who are able to come here and ask for more money out of the taxpayers for themselves, and in my judgment, that day ought to be over as far as this legislature or this administration is concerned.

In the next session of the Legislature, you must, of course, approach the problem of equalizing ad valorem property-home taxes on your land and your home and your business. We have the lowest property taxes in the Nation. The other day a witness complained about Alabama has lower taxes than any other State in the Union on their homes and on their businesses and on their farms. I want to say to Alabamians that I am proud that you can own a home or a farm or a business in Alabama without almost having it confiscated and taken away from you every time the tax collector has to collect the ad valorem taxes. I hope that you in your deliberations in the second session will

come up with a program that will equalize in the sense that those who are too low may have to come up a little bit; those who are too high must come down. When it is over, you would not have taken a dime more, if that is possible, from the taxpayers than you were already taken under the present system. In my judgment, we ought to keep ad valorem taxes low. We ought not to use that as a back door to increase taxes, and for that reason, I urge you to pass a program that we will work with you on that will keep us the lowest property taxes in the United States. Then if the people of Alabama want to raise taxes upon their homes, upon their businesses, let them have a vote on it at the polls and do it in the democratic manner.

Now, my friends, let me tell you about the court order. If you don't solve this problem in the next session of the Legislature, conceivably on the court order, taxes could be raised $300 million on the people of this state. If you have a 30% across-the-board with a reevaluation, you will raise taxes on homes and businesses and farms $89 million in this state. If you have a 25% across-the-board on a reevaluation, you will raise taxes $59 million, and I hope that with those figures in your mind that you will pass a program that will not raise $59 or $89 or $300 but will keep it just like it is, but will bring some semblance of equalization. We will help you on this matter, working through the Governor's Office and also the Department of Revenue.

In the third session, we should have reapportionment, redistricting, firemen's pension, work-release program, reduce rates in the Mini-Code on loans to the citizens and consumers in the State. We signed the so-called Mini-Code Bill because there were 22 good provisions for the consumer, but the rates are too high, and we will have a program reducing these rates. So, you who are consumer-oriented here in this legislature will have an opportunity to give relief to those as far as loans are concerned from banks and also from charge accounts.

We will ask the Anti-busing Amendment revision be placed in the special call. I will place it there to provide a penalty for those school officials who do not obey the anti-busing law as some of them have refused to obey since you passed it here. One board member said that when Governor Wallace has more authority and power than Judge Johnson, I will obey it. That wasn't George Wallace's law. That was the Legislature of Alabama's law. That was your law, and any school official in this state, a few, and there are very few, who have refused to abide by it, have slapped you in the face—not George Wallace because I only signed the law. It was your law. I have asked the President and the Attorney General, Mr. Mitchell, to join us in the anti-busing suit in the Federal Court in Birmingham since the President has said that he is against busing. The Attorney General is against it. Mrs. Mitchell is against it, and I'm against it. It seems to me that that's enough folks to stop it, and I hope that the Attorney General and the President will.

Busing accidents have gone up in every State in the Union around us regarding the matter of busing school children.

We will have a ethics bill. We have talked about ethics, and as you know, on the last night of the session, the ethics bill was sent back with an amendment and it didn't get through. So, we don't have an ethics bill. I have an ethics bill to be introduced by the Administration that will provide that anybody in government who is a Constitutional officer, which includes the Governor and Legislators, must go back and report his source of income for every year he served as Governor in the past or in the Legislature in the past, which means that George Wallace will have to give publicly his income for

'63 right on up until this date. And even those years intervening from the time you are elected one time and went out of office until you come back and for a five-year period after you go out of office as Governor, as a legislator, as a Constitutional officer and with an oath sworn that you have no interest undisclosed, silent or otherwise in any firm, corporation or business that has profited by State business or by your influence as a legislator or as a Governor. I feel that that is the kind of ethics bill that we ought to have, and I am willing, whether you pass the bill or not, to sign such a statement and present it. So, since we are talking about ethics, let's get them a good ethics bill and let's show the people of Alabama that we really mean it when we talk about ethics.

I recall the other night that they said that Governor Wallace wants to take over the Ethics Commission. I put the Chief Justice of the Supreme Court as its Chairman. I said that "You elect two from the House, not appointed by Mr. Speaker here—you might say "Oh, that's George Wallace" because the Speaker was our choice in the beginning of the session for the Speakership. Elect two from the Senate instead of being appointed by the Lt. Governor, Mr. Beasley. You may say the same thing, and then let the Governor appoint two. That will be seven members and two appointed by the Governor and four elected by you and the Chief Justice. In my judgment, that would be a good ethics bill. This heming and hawing about an ethics bill—let's just have a good one.

I say to the Legislature in all fairness. I know you want one. I said before that I believe that you were dedicated to good government. I said in the beginning that you wanted to solve the problems that face the people of this state, but you have served in the Legislature at a time that in my judgment is one of the most troublesome times and there are more problems than ever faced by any legislature, and, therefore, I sympathize with you.

Now, I want to put to rest another thing that they said I am going to do —that I am going to put the elector bill in the third call. Well, all you folks have been predicting that whether you be press or otherwise—you are going to find that you are so terribly mistaken. What did the Elector Bill do? It just gave the people who are watching this telecast the right to vote and elect electors. The State Democratic Committee took it away from you. You can't elect electors anymore. They are going to choose them in a smoke-filled room. I was willing to let you vote for them. If you wanted Wallace electors, Kennedy electors, Kosygin electors, Muskie electors, or whoever you wanted, you had a right, yourselves. But, no, they said that you are not going to elect them because you have been electing wrong electors. They believe in voting if you vote right, but if you don't vote right, they take the vote away from you. That's exactly what the Democratic Committee did, but I'm not going to put that bill in the call. It passed the House, and got on the Senate calendar, but I want the people of Alabama to know that this Democratic Executive Committee, who are loyal to Kennedy and Muskie and Humphrey and McGovern, said that you are not going to vote. We are going to take it away from you. They did take it away from you, because if I decide to run, I'll just run any way that I want to run and we'll just let it go at that.

I want to say that as your Governor, I am glad that those things that we predicted—and I say this. We have got some folks from all over the country here tonight. We have got to give them a little of it, you know, to carry back to New York and Washington and Chicago and Toledo—so, I will add a little something that I didn't intend to add. Everything that we predicted in Ala-

bama is now coming to pass. We said that foreign aid was going to break us and it has about broke us—giving $150 billion away to folks who didn't care for us and dislike us more than when they got it. The fact that the taxes on the average man is so intolerable in this state and nation while the $150 billion of church commercial property goes tax free and the multibillion dollar foundations, like the Rockefellers, don't pay taxes like the textile worker and the steelworker and the little man in this state and any other state. The other day at the Southern Governors' Conference they passed a resolution, which I introduced, unanimously saying for the Congress to amend the Income Tax Law, to remove this inequity that we talked about in 1968.

So, you see, a lot of things that we talked about are now coming to pass. They are giving tax relief now. We advocated $1200 exemption for the working man. They are now talking about $800. We passed a resolution, introduced by me, at the Southern Governors' Conference deploring the fact that we have reached a state of second-rate military power in the world, that the liberals had relegated us to a point where we almost have to grubble at the conference table instead of being able to go there and negotiate in strength. An academic question that ought not to have to be even talked about—it ought to be academic that those in Washington, whoever they might be, would want the Nation to be strong in power.

I want to say that I am before this legislature, but I'm not pushing the Elector Bill. You can do whatever you want to do with it. I won't raise my finger about the Elector Bill because I made that commitment, and I make it now.

I want to say this to our friends from without that we have some news folks in Alabama, especially newspapers, who have inferiority complexes about Alabamians. They don't think that anybody in Alabama is qualified because they don't have confidence in Alabamians. I think that Alabamians are fine and good and strong and are entitled to be represented nationally or internationally as well as the people of any other state. When I went over this country in 1968, I went so proudly of the fact that I came from a great state, and I never did try to slur with the fact that I was from Alabama. I told them wherever it might be that I do come from Alabama—a great state. And I don't have any inferiority complex about the textile worker, the steelworker, the little businessman and the average citizen of this state. The average citizen of this state is entitled to be involved the same as anyone else. And for these newspapers that say that George Wallace ought to stay home, I have been off on my day off. I've been off on Saturdays and I have talked about busing school children, high taxes, second-rate military power away from Los Angeles as New York, and I think that the Governor of a state ought to do that. I want to point out in concluding that we are not going to ask you in this session to take one iota of your time regarding the matter of the Elector Bill. You have lost that right, my friends in Alabama who are watching this telecast, and I can't give it back to you, but I can remind you of who did it at the proper time.

In concluding, I want to say to the people of Alabama that I hope that you will join with me in asking this legislature, and I believe that they are going to respond because I believe that they want to respond, to solve your problems in the matter of appropriations to education, to old age, to the medicaid, to the prison, to the State police with the money that we now have on hand. We have enough money if we will only allocate it in the proper way to solve every problem that we have without one single tax increase on the people of this state.

And I want to say to my friends in education, I was honored by the AEA my second year with a plaque that said that I had performed more service for public education than any Governor before that time. I am proud of that. I am proud at this moment that in our educational appropriation bill we are giving you $80 million more for the biennium than you ever got and don't tell me that if we can give $80 million to education, increase the other functions of government, we don't have enough money. So, my friends, I hope that you will be able to go out of this session and say to the people back home, "We solve our problems, unlike other states. We didn't tax you one single consumer tax of one cent." I think that the people of Alabama will say that you have performed admirably and well because as I say, they are fed up as far as taxes are concerned. There are times for taxes, but this is no time for taxes in this state or any other state in the Union.

Thank you very much, ladies and gentlemen.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

LEAVE OF ABSENCE

On motion of Mr. Drake, leave of absence was granted for Mr. McDonald, due to absence from the State.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Mathews, Lyons, Fite, Crawford, Downing, Easters, Robertson, McCorquodale, Grainger, Turnham, Waggoner, Stubbs, Pruitt, Hobbie, Turner, Williams, Drake, Carnes, Gloor, Collins, Hardin, Waldrop and Burgess:

H. 1. To make appropriations for the ordinary expense of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Ways and Means.

By Messrs. Mathews, Lyons, Crawford, Fite, Downing, Easters, Robertson, McCorquodale, Grainger, Turner, Williams, Hobbie, Pruitt, Drake, Carnes, Gloor, Collins, Hardin, Waldrop, Burgess and Bank:

H. 2. To amend Section 32 of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama so as to make further provisions respecting the use of the proceeds from the taxes levied by the said Act, as amended.

Ways and Means.

By Messrs. Mathews, Lyons, Crawford, Fite, Downing, Easters, Robertson, McCorquodale, Hobbie, Pruitt, Turner, Williams, Drake, Carnes, Gloor, Collins, Hardin, Waldrop, Burgess and Bank:

H. 3. To amend Section 808 of Title 51 Code of Alabama 1940, as heretofore amended, so as to make further provisions respecting the use of the proceeds from the excise tax, commonly known as the state use tax, levied by Section 788 of the said Title 51, as amended.

Ways and Means.

By Messrs. Mathews, Lyons, Crawford, Fite, Downing, Easters, Robertson, McCorquodale, Grainger, Waggoner, Stubbs, Pruitt, Turner, Williams, Hobbie, Drake, Carnes, Gloor, Collins, Hardin, Waldrop, Burgess and Bank:

H. 4. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. Williams, Turner, Fite, Crawford, Downing, Easters, Mathews, Robertson, McCorquodale, Lyons, Hobbie, Pruitt, Grainger, Waggoner, Stubbs, Turnham, Carnes and Waldrop:

H. 5. To amend Section 910, Title 51, Code of Alabama of 1940, as heretofore amended, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

Ways and Means.

By Messrs. Turner, Williams, Downing, Fite, Crawford, Lyons, Mathews, Easters, Hobbie, Robertson, McCorquodale, Grainger, Pruitt, Waggoner, Turnham, Stubbs, Bank, Drake, Merrill, Hardin, Bassett Smith (P), McCluskey, Carnes and Waldrop:

H. 6. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Ways and Means.

By Messrs. Robertson, Burgess, Lyons, Drake, McCorquodale, Hobbie, Wallace, Turner, Williams, Crawford, Fite, Downing, Easters, Grainger, Crowe, Parker (T), Lutz, Bank, Doss, Merrill, Stewart, Cottingham, Mims, Smith (P), McCluskey, Casey, Carnes, Waldrop, Wynot, Stokes, Collins, Owens, Lang, Brassell, Connell, Adams, Snell, Jackson, Bowers, Falkenburg, Ellis, Slate, Headley, Hardin, Reed (T), Gray (F), Coshatt, Reid (R) and St. John:

H. 7. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public School and College Authority to sell and issue additional bonds for the purpose of reconstruction, improvement, alteration, repair and renovation of facilities to eliminate existing or potential fire hazards so as to make such facilities fireproof at Alabama State Hospitals and the Partlow State School and Hospital; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

Ways and Means.

By Messrs. Grainger, Pruitt, Turnham, Waggoner, Stubbs, Hobbie, Turner, Williams, Crawford, Downing, Fite, Easters, McCorquodale, Robertson, Mathews, Collins, Carnes, Weeks, Crowe and Bank:

H. 8. To amend Sections 24 to 27 inclusive of Act No. 2295, of the 1971 Regular Session of the Alabama Legislature relating to appropriations for capital outlay purposes.

Ways and Means.

By Mr. Mathews:

H. 9. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants according to the most recent federal decennial census; to provide that the members of the county commission of any such county may be paid a salary not to exceed $4,800 per year.

Local Legislation No. 1.

By Mr. Mathews:

H. 10. Relating to all counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county commission of said counties to pay the members of the jury commission in said county such an additional amount as will make their total compensation $15 per day for each day they serve in said capacity.

Local Legislation No. 1.

By Messrs. Fite, Lyons and McCluskey:

H. 11. Relating to corporations organized for the purpose of establishing regional mental health programs and facilities; to exempt from all taxation such corporations which are certified or licensed by the State Board of Health under the provisions of Act No. 881, adopted at the 1968 Regular Session of the Legislature of Alabama.

Ways and Means.

By Mr. Casey:

H. 12. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

Local Legislation No. 1.

By Mr. Casey:

H. 13. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public School and College Authority to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

Ways and Means.

By Mr. Casey:

H. 14. To make an appropriation from the State Treasury to the use of the State Department of Education in matching funds provided by the federal government under the Appalachian Regional Development Program for capital outlay purposes at a new vocational high school to be built in Randolph County.

Ways and Means.

By Messrs. Drake and St. John (With Notice and Proof):

H. 15. Relating to Cullman County levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Local Legislation No. 1.

Notice and Proof H. 15:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating Cullman County levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in Cullman County.

Section 2. In addition to all other taxes imposed by law, every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes in such counties shall pay a privilege, license or excise tax in the following amounts:

(a) Two cents ($.02) for each package of cigarettes, made of tobacco or any substitute therefor.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid out once on each package of cigarettes.

Section 3. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution in such counties any cigarettes shall add the amount of the license on privilege tax levied and as-

sessed herein to the price of the cigarettes it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in the county in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars ($100.00) or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 4. The tax hereby levied shall be paid by affixing stamps as is required for the payment of the tax imposed by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended. The state department of revenue shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under that article; and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax.

Section 5. The state department of revenue is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 6. All laws, and rules and regulations of the department of revenue, relating to the manner and time of payment of the tax levied by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this Act as fully as if set out herein.

Section 7. The proceeds of the tax hereby levied, less any discount allowed on the sale of stamps and less the cost of collection as agreed on by the revenue department and the governing body of such counties shall be paid into the county treasury of such counties to the credit of the general fund. One-half of said proceeds are to be used exclusively for capital improvements and equipment at the Cullman County Hospital.

Section 8. (a) None of the provisions of this act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution. (b) this statute shall not be construed to apply to cigarettes stored by a wholesale dealer for the purpose of resale or reshipment outside of such counties which are actually resold or reshipped.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective December 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 7, 14, 21, and 28, all in the year 1971.

MARC MILLER

Sworn to and subscribed before me November 12, 1971.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake and St. John (With Notice and Proof):

H. 16. relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

Local Legislation No. 1.

Notice and Proof H. 16.

LEGAL NOTICE

NOTICE is hereby given that a bill subtantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Cullman County, Alabama, may make temporary loans in anticipation of the collection of taxes for the year in which such loans are made, and may issue certificates covering such loans, and may pledge a sufficient amount of uncollected taxes of the current year to secure the repayment of such loan or loans.

"Section 2. Such loans shall not be in an amount greater than two hundred thousand dollars ($200,000.00) per year and may bear interest not

to exceed eight percent per annum. All such loans shall mature not later than February first of the year following that in which the loan is made and may be renewed only upon payment of all interest then due, together with not less than ten percent of the principal then outstanding; provided further that once a temporary loan, or loans, in the amount of two hundred thousand dollars ($200,000.00) has been made under the authority of this chapter, no further temporary loans may be so made until such time as all of such original indebtedness has been fully repaid. No proceeds from any loans made under the provisions of this chapter shall be used for any purpose other than that for which the general funds of the county may now be used. Nothing in this Act is intended to contravence Section 224 of the Alabama Constitution of 1901."

Section 3. All general laws or parts of laws in conflict with the provisions hereof are hereby replealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 7, 14, 21, and 28, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me November 12, 1971.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Bassett and Hardin:

H. 17. To further amend Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089), as amended, which provides for the appointment of a clerk for the sheriff's office of any county having a population of not less than 13,000 nor more than 13,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Barkett (With Notice and Proof):

H. 18. To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to provide for the transfer of all

cases pending in the Dale County Court and in the Juvenile Court of Dale County to the newly established court.

Local Legislation No. 1.

Notice and Proof H. 18:

AN ACT

To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to provide for the transfer of all cases pending in the Dale County Court and in the Juvenile Court of Dale County to the newly established court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Dale County a court with limited jurisdiction of criminal cases and civil action at Law and in Equity which Court shall make final records in suits for divorce or separate maintenance and in cases involving domestic relations or the custody of children. The court shall be known as the Inferior Court of Dale County, Alabama.

Section 2. All cases and actions pending in the County Court of Dale County and in the Juvenile Court of Dale County on the effective date of this act shall be transferred to the court hereby created and shall proceed as though begun there. As to judgements rendered by the abolished court (and judgements it had power to control), the Inferior Court of Dale County, Alabama, shall have the same power to control and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (a) Except as provided in subsection (b) of this subsection, the Inferior Court of Dale County, Alabama, shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases including actions of unlawful detainer, actions for recovery of land, cases of desertions and non support instituted by virtue of Article 3, Chapter 4, Title 34, Code of Alabama (1940), Civil Proceeding to Compel Support instituted by virtue of Article 4, Chapter 4, Title 34, Code of Alabama (1940) which are cognizable before the Circuit Court or a county court or the Juvenile Court or justices of the peace or courts created in lieu thereof, and all courts of like jurisdiction. In exercising jurisdiction in Juvenile court cases the provisions of Chapter 7, Title 13, Code of Alabama 1940 and amendments thereto shall apply. It shall have authority to punish contempts by fine not exceeding fifty dollars ($50) and imprisonment and exceeding five days. It may adopt and enforce rules and regulations relative to pleading procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts and record.

(b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds two thousand dollars ($2000.00), not take cognizance of any matter or proceeding in equity except suits for divorce or separate

maintenance and cases involving domestic relations or the custody of children.

(c) All criminal and quasi criminal jurisdiction of the Justices of the Peace in Dale County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Dale County, Alabama and over proceedings before the Magistrates to keep the Peace in accordance with Article 2, Chapter 20, Title 15, Code of Alabama 1940 as last amended.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 5. (a) The Inferior Court of Dale County, Alabama, shall have four divisions, namely, law, equity, criminal and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, compentence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statues and rules or practice and procedure governing the circuit courts. Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a nonsuit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendent, or service perfected on him as required by law, the defendent shall appear and plead, answer or demur thereto within twenty days. In suits in equity the defendent shall have have thirty days after the perfection of service on him in which to plead, answer or demur. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default or decree Pro Confesso may be rendered against such defendant.

Section 6. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the Clerk of the Court, or the deputy clerks of the court, or the District Attorney or a County Solicitor (Assistant District Attorneys for Dale County), who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the cause shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) A county or assistant District Attorney (for Dale County) shall prosecute for the State all criminal and quasi criminal cases commenced in such court.

Section 7. (a) The Inferior Court of Dale County, Alabama shall be open at all times for the transaction of business. Sessions of the court shall be held at the county courthouse at such times as the judge shall designate by orders spread upon the minutes of the court. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(b) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a Circuit Court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges or circuit courts.

Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law and for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts. (b) In addition to the fees for witnesses, the court shall have authority to tax costs for the uses of the county court as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (5) in every other criminal case, the same as in the county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(c) A trial tax of two dollars ($2.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100.00). In every other civil action at law, in every suit in equity, and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of five dollars ($5.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Dale County, Alabama, one-half (50 percent) of all other fines and forfeitures collected in this court are to be paid into the general fund of Dale County, Alabama.

(f) A library fee of one dollar ($1.00) shall be collected for the use of the Dale County Law Library for each civil action at Law, in every suit in Equity, and in every criminal case or quasi-criminal case.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), except that if the judgment of the court is for fifty dollars ($50.00) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered

under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if the judgment is for more than fifty dollars ($50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 58 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6, of Chapter 8, Title 13, of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

(3) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Section 371 and 372 of Title 13 of the 1940 Code.

(4) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13, of the 1940 Code.

Section 11. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1976 and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act, the Governor shall commission ..... as Judge of the Inferior Court of Dale County, Alabama and the said ..... shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judgment unless he is, at the time of his appointment or election, a qualified elector of Dale County, learned in the law, and has been licensed to practice law in this State for two years. The judge shall not practice law in any of the court of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occuring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary equal to an amount of $1000.00 less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedes, quo waranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgements; (4) issue search warrants) (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse, or such other p'ace as may be provided by the governing body of the county. His office shall be suitable equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(g) The judge shall employ a secretary if he so desires. The secretary shall be paid a salary of not less than three hundred dollars ($300.00) to be determined by the Court of County Commissioners and to be paid out of the general fund of the county.

(h) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars ($50) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. (a) The Circuit Clerk of Dale County and the Register of the Circuit Court shall be the clerk and register, respectively, of the court herein established and the clerk of the Juvenile division of said court. Each deputy clerk of the Circuit Court of Dale County shall be a deputy clerk of the Inferior Court of Dale County. The clerk shall have the authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the courts business. He shall keep a seal which shall be the official seal adopted by the Court.

(b) It shall be the duty of the clerk-register and clerk of the Juvenile division respectively to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk, register, and clerk of the juvenile division, respectively, shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, execution, commitments, and releases (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks and registers of the circuit courts.

(d) The judge shall secure the services of a competent reporter to attend the sessions of the court and report all equity cases tried when request in writing therefor is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive an amount equal to the

amount paid reporters in Circuit Courts for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits, when they request such, for making a transcript of evidence taken by such reporter the same amount that he would be entitled to as a reporter in circuit court. He shall be required to keep his notes and records for public use and inspection. In all cases reported by the reporter there shall be taxed as part of the costs of the case a fee equal to a circuit court reporter's fee for each day or fraction thereof that such reporter shall be engaged in reporting the case, to be collected as costs as in other cases, and when collected paid into the county treasury of Dale County, Alabama.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This act shall take effect on the first of the month next following the date of its enactment.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on Aug. 12, 19, 26, and Sept. 2.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 15th day of November, 1971.

SYLVIA R. SEGARS,
Notary Public.

By Mr. Baker (With Notice and Proof):

H. 19. To further amend Section 13 of Act Number 418 approved November 13, 1959, as amended:

To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline, other liquid fuel or devises or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provisions of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Local Legislation No. 1.

Notice and Proof H. 19:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced at the next Regular or Special Session of the Legislature of Alabama and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENACTED
AN ACT

TO FURTHER AMEND SECTION 13 OF ACT NUMBER 418 APPROVED NOVEMBER 13, 1959, AS AMENDED:

To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline other liquid fuel or devises or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Be It Enacted by the Legislature of Alabama:

SECTION I: That Section 13 of Act 518, approved November 13, 1959, is hereby amended to read as follows:

"Section 13. Expenditures from the special fund provided for in section 12, shall be made for the purpose of providing necessary funds for school purposes and for road and bridge funds for DeKalb County, and shall be divided as follows: Fifty Thousand Dollars ($50,000.00) annually for the road and bridge fund for DeKalb County, and the balance of said funds derived from the tax levied by this Act shall be for school purposes in DeKalb County and shall be distributed by the County Treasury or any other person designated by law to draw once on the County funds to the DeKalb County Board of Education within DeKalb County, Alabama, on the same basis as funds are distributed from the minimum program funds received by DeKalb County from the State of Alabama and shall be distributed to the several school systems in DeKalb County in accordance with the minimum program funds formula. The funds derived from the tax shall be distributed monthly on a pro rata basis to the road and bridge fund of DeKalb County and to the DeKalb County Board of Education by the County Treasury or any other person designated by law to draw warrants on the County funds."

SECTION II: Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining section, paragraphs or portions thereof.

SECTION III: All laws and parts of laws in conflict with the provisions of this Act are hereby repealed in so far as they relate to DeKalb County, Alabama.

SECTION IV: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
County of DeKalb

Before me, the undersigned authority in and for said County in said State this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on October 21, October 28, November 4, and November 11, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me on this the 15th day of November, 1971.

MARY RUTH BROWN,
Notary Public.

My Commission Expires: January 29, 1973.

By Messrs. Carnes, Waldrop, Wynot and Reid (R):

H. 20. Proposing an amendment to the Constitution relating to the Legislature remaining in session under certain special conditions when they reach the end of the last legislative day or a regular session without taking any action on the appropriations necessary to operate the essential functions of state government.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Carnes, Waldrop and Wynot:

H. 21. To set license fees paid to county barber commissions in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent Federal Decennial Census.

Local Legislation No. 1.

By Messrs. McDonald, Drake and St. John (With Notice and Proof):

H. 22. To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Albertville and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Local Legislation No. 1

Notice and Proof H. 22:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of this state for the purpose of enactment into law:

A BILL TO BE ENTITLED AN ACT, to authorize, provide for and regular the establishment and operation of a retirement system for employees of the City of Albertville and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Be It Enacted by the Legislature of Alabama:

Section 1. A retirement system for employees of the City of Albertville and any incorporated and unincorporated municipal boards of the City may be established and a Retirement Trust Fund in connection therewith may be created, maintained and administered for the benefit of such employees in the manner hereinafter prescribed.

Section II. If the Mayor and the City Council of the City of Albertville (hereinafter referred to as the Employer) desire to establish such retirement system, they shall approve the Retirement Plan and Retirement Trust incorporating the terms and provisions of the retirement system and stating its effective date. The Employer shall also act upon the application of any incorporated or unincorporated municipal board(s) of the City who may wish to participate in the Plan for the benefit of its employees.

Section III. Any Retirement Plan adopted pursuant to this Act shall:

1. Be designated and known as the City of Albertville Retirement Plan (hereinafter referred to as the Plan);

2. Provide for the establishment of the City of Albertville Retirement Trust (hereinafter referred to as the Trust or Trust Fund) so designed that it will qualify under Sections 401, 404 and 501 of the Internal Revenue Code of the United States as a tax-exempt Trust for Federal income tax purposes;

3. Prescribe conditions for membership in the Plan by the employees of the Employer;

4. Provide for contributions by the Employer to the Trust from which benefits under the Plan will be paid;

5. Provide for and prescribe the manner and amount of the payment of benefits to an employee upon the event of normal retirement, early retirement, late retirement, disability retirement, death or other termination of employment with the Employer;

6. Provide for the conditions and eligibility requirements whereby an employee will qualify for a benefit under the Plan;

7. Prescribe rules for computing and determining the employee's service and average monthly earnings on which his benefits are to be determined;

8. Provide for the administration of the retirement system by a Retirement Committee, provide for the composition of this Committee, prescribe the rights, powers, duties, authority and liabilities of such Committee and of the members thereof and may prescribe the effect to be given to decisions of such Committee relative to matters involving rights to benefits and the payment thereof from the Trust;

9. Authorize and provide for the execution of an agreement between the Employer and a suitable funding institution such as an insurance company or

a bank having a trust department duly licensed to serve as a trustee in Alabama, to accept and administer the monies that shall be paid to the Retirement Plan authorized by this Act;

10. Provide for and prescribe the manner in which the Employer may terminate the Plan and-or Trust and the rules safeguarding the rights of members in the event of such termination;

11. Authorize, provide for and regulate amendments to the Retirement Plan and-or Retirement Trust established hereunder and provide further that such amendments may not be made without a written certification from a qualified actuary that such amendments will not adversely affect the actuarial soundness of the Plan;

12. Provide that such amendments may be made by the City Council of the City of Albertville, subject to the approval of the Mayor, without the consent of any other party, except that no amendment affecting the Trustee's duties, powers and responsibilities shall be made without his written consent;

13. Provide for the employment of a qualified actuary, authorize the use of tables, data and opinions furnished by the actuary and provide for periodic actuarial valuations of the Plan by such actuary;

14. Prescribe the manner of giving required notices, instructions and communications and of filing requests.

Section IV. The right of a person to a benefit under this Plan and the monies in the City of Albertville Retirement Trust are exempt from levy, sale, garnishment, attachment and any other process whatsoever, and shall be unassignable, except as in this Act specifically provided herein.

Section V. No provision of a Retirement Plan adopted hereunder shall bestow or purport to bestow or be construed to bestow on any employee of the Employer the right to be retained in its employ, nor shall any provision in such Retirement Plan be construed to curtail or in any manner interfere with the right of the Employer to terminate the employment of any employee at any time.

Section VI. All benefits provided under any Plan adopted under this Act shall be payable by the funding institution under the direction of the Retirement Committee and solely from the Trust and the earnings thereon. Under no circumstances shall the Employer be liable for the payment of any such benefits, nor shall the funding institution or members of the Retirement Committee be individually liable therefor. Nothing hereinabove shall be deemed to relieve any person from liability for losses to the Trust resulting from his gross negligence or wilful misconduct in the administration of the Plan and Trust.

Section VII. A copy of the Retirement Plan and of any and all amendments thereto shall be kept at the office of the City Clerk and such copies shall be available to employees for inspection at all reasonable times.

Section VIII. The purpose of this Act is to provide a method for the retirement of the employees of the Employer, but it shall not be construed to abridge the right of the Employer to provide or participate in providing for the retirement of employees in any other way or manner prescribed by law.

Section IX. The provisions of this Act are severable. If any part of the

Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section X. This Act shall become effective immediately on its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Jesse A. Culp, who, being first duly sworn according to law, desposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated Oct. 7, 14, 21 and 28, 1971.

JESSE A. CULP,
Publisher.

Sworn to and subscribed before me this the 2nd day of Nov., 1971.

BONNIE R. COOK,
Notary Public.

By Mr. Williams (With Notice and Proof):

H. 23. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Local Legislation No. 1.

Notice and Proof H. 23:

A BILL
TO BE ENTITLED
AN ACT

Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act No. 78, S. 72, Special Session 1961 (Acts of 1961, p. 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such board pursuant to said Act. The following words and phrases when used in this Act shall have the meanings ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended: "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct his business entirely within Jackson County shall be licensed by the state board of cosmetology as a managing cosmetologist without having served any time as a licensed cosmetolo-

gist in a registered beauty shop or school of cosmetology prior to application for such license, provided, such applicant complies with all other requirements for such license and in lieu of having completed the required for such license and in lieu of having completed the time and studies for a complete course of cosmetology of not less than 1200 hours of training, not to exceed more than eight hours in any one day, has completed such required time and studies for 1200 hours of training, not to exceed more than eight hours in any one day.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as an apprentice in a duly registered beauty shop in Jackson County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating the practice of cosmetology; however the provisions of this Act shall supersede as to Jackson County the provisions of any other law general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p. 1955) conflicts with this Act it is superseded as to Jackson County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 17, 24, 31, and Nov. 7, all in the year 1971.

JAMES K. HARKNESS.

Sworn to and subscribed before me Nov. 11, 1971.

EDNA KIRBY,
Notary Public.

My Commission Expires Sept. 17, 1975.

By Mr. Williams:

H. 24. To set the salary of the clerk of the jury commission of any county having a population of not less than 38,100 nor more than 40,500, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Merrill, Waldrop, Stewart and Burgess:

H. 25. To amend Section 1 of Act No. 604, S. 93, approved August 29, 1969, 1969 Regular Session (Acts of 1969, p. 1092) entitled, "An Act Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail, so as to make said Act apply to students attending educational institutions located outside the county of their residence."

Judiciary.

By Messrs. Merrill, Stewart and Burgess:

H. 26. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Local Legislation No. 1.

By Messrs. Merrill, Stewart and Burgess:

H. 27. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; authorizing the judge of probate to appoint a probate court clerk; to define his duties; to direct the filing of a bond and provide for the compensation of such position.

Local Legislation No. 1.

By Mr. Cherner:

H. 28. To raise revenue; to levy a privilege or license tax upon the occupation and use of real property for commercial purposes; to provide for the use of the revenue produced by the tax and to provide for the collection and enforcement of the tax.

Ways and Means.

By Messrs. Cherner, Ellis, Timmons, Parker (H), Wallace, Gloor, Boles, Jones (E), Meeks, Gafford, Erdreich, Dill and Falkenburg (With Notice and Proof):

H. 29. To authorize the governing body of Jefferson County, Alabama, to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

Local Legislation No. 2.

Notice and Proof H. 29:

AN ACT

To authorize the governing body of Jefferson County, Alabama to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and

bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Governing Body of Jefferson County, Alabama is hereby authorized to pay to Sue Ann Bailey the sum of $1,768.25 out of the gasoline tax fund, road and bridge fund, or from any other funds in the county treasury not otherwise appropriated to reimburse her for medical expenses expended by her as a result of injuries received in an automobile accident on a public road in Jefferson County, Alabama, which occurred under circumstances that the County is morally and justly obligated to compensate her, but she has no legal recourse to recover damages from the County. The above referred to accident occurred on May 25, 1971 and the said Sue Ann Bailey suffered $1,198.25 worth of medical bills, $20.00 drug bills, $50.00 ambulance bill and over $500.00 damage to her automobile.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of August 14, 21, 28, September 4, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 4th day of September, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Erdreich, McBride, Falkenburg, Gafford, Dill, Timmons, Parker (H), Wallace, Weeks, Meeks, Waggoner, Cherner, Gloor, Ellis, and Doss:

H. 30. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of three (3) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

Local Legislation No. 2.

By Messrs. Gafford, Parker (H), Timmons, Dill, Boles, Wallace, Meeks, Waggoner, Bowers, Cherner, McBride and Weeks:

H. 31. To amend Section 139 of Title 13 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, administrations of estates may be transferred to the Circuit Court only by order of the judge of probate upon the petition of a party in interest showing the need for such transfer.

Local Legislation No. 2.

By Messrs. Gafford, Parker (H), Timmons, Dill, Boles, Wallace, Meeks, Waggoner, Bowers, Cherner, McBride and Weeks:

H. 32. To amend Section 26 of Title 21 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, guardianships may be transferred to the Circuit Court only by order of the Judge of Probate upon the petition of a party in interest showing the need for such transfer.

Local Legislation No. 2.

By Messrs. Gafford, Parker (H), Doss, Erdreich, Timmons, Dill, Jones (E), Boles, Wallace, Meeks, Waggoner, Falkenburg, Bowers, Cherner, McBride, Weeks and Gloor:

H. 33. To amend Section 17 of Act No. 497 of the 1965 Regular Session of the Legislature, as amended, by providing for the purposes of this Act, supernumerary judges shall be considered as retired employees and shall be entitled to earned benefits as provided for in this act.

Local Legislation No. 2.

By Messrs. Meeks, Gafford, Waggoner, Cherner, Jones (E), Boles, Dill, Parker (H), Timmons, Wallace, Bowers, Erdreich, Falkenburg, McBride, Gloor, Weeks, Ellis and Doss:

H. 34. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Ellis and Turnham:

H. 35. To create and establish a Mental Health Trust Fund, as a special account in the State Treasury; to provide for the payment of all funds earmarked for mental health into such account, and for all mental health appropriations to be made from said account.

Ways and Means.

By Messrs. Parker (H), Timmons, Boles and McBride:

H. 36. Relating to public utilities; making it unlawful to estimate charges for certain commodities and services the use and consumption of which are measured by meters; prescribing penalties for violations.

Ways and Means.

By Messrs. Parker (H), Ellis, Wallace, Boles, Cherner, Timmons, Dill, Jones (E), Gloor, Meeks, Gafford, Erdreich, Falkenburg, Bowers, Weeks, Doss and McBride:

H. 37. To amend further Section 4 of Act No. 547, Regular session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

Local Legislation No. 2.

By Messrs. Parker (H), Timmons, Dill, Wallace, Erdreich, Falkenburg, Weeks and McBride:

H. 38. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Local Legislation No. 2.

By Messrs. Parker (H), Doss, Gafford, Timmons, Dill, Wallace, Boles, Erdreich, Ellis, Weeks and McBride:

H. 39. To authorize the governing body of any county to pay the expenses of canvassing votes cast in any primary election held in such county.

Local Legislation No. 2.

By Mr. Headley (With Notice and Proof):

H. 40. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

Local Legislation No. 1.

Notice and Proof H. 40:

STATE OF ALABAMA
COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Chilton County shall receive compensation as follows:

(a) For the Judge of Probate, an annual salary of $15,000;

(b) For the Tax Assessor, an annual salary of $11,000;

(c) For the Tax Collector, an annual salary of $10,000;

(d) For the Circuit Clerk, who shall be the ex-officio clerk of the Law and Equity Court, an annual salary of $12,000.

Section 2. Such salaries are to be the entire compensation received by any of the above county officers for his services and shall be in lieu of all fees, commissions, allowances, percentages, and other charges heretofore paid to any such officer, and shall be paid in equal monthly installments out of the general fund of the county.

Section 3. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county.

Section 4. The governing body of Chilton County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationary, furniture, equipment, and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective July 1, 1972.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, Register in and for said county and state, T. E. Wyatt, Publisher of the Union Banner, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of October 7, 14, 21, and 28, 1971.

T. E. WYATT,
Publisher.

Subscribed and sworn to before me this 9th day of November, 1971.

FRANCES W. SPENCER,
Notary Public.

By Mr. Williams:

H. 41. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to authorize the county commission of any such county to

provide a clerk hire allowance for the circuit clerk not to exceed $500 per month.

Local Legislation No. 1.

By Mr. McBride:

H. 42. To amend further Section 788 of Title 51, Code of Alabama 1940, as amended, relating to the excise tax on the storage, use or other consumption in this state of tangible personal property purchased at retail, so as to increase the amount of the tax on automotive vehicles, truck trailers, semi-trailers and house trailers; providing for the proceeds of such increase to be deposited in the Special Mental Health Fund.

Ways and Means.

By Mr. McBride:

H. 43. To amend further Section 2 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, relating to a privilege or license tax levied against persons on account of certain business activities, so as to increase the amount of the tax on the sale of automotive vehicles, truck trailers, semi-trailers and house trailers; providing for the proceeds of such increase to be deposited in the Special Mental Health Fund.

Ways and Means.

By Mr. Edwards:

H. 44. To amend the title and Section 1 of Act No. 620, H. 795, Regular Session 1967 (Acts 1967, p. 1425) which provides for an expense allowance for the coroner of certain counties classified on a population basis; to make the provisions of this Act retroactive.

Local Legislation No. 1.

By Messrs. Turnham, Mims, Bowers, Easters, Jones (E), Smith (P), Roberts, Harris, Bassett, Hardin, Wallace, Parker (T), Owens, Merrill, Wynot, Banks, Smith (K), McBride, Lang, Cauthen, Cottingham, Crawford, Gray (F), Lutz, Jones (F), King, Stubbs, Drake, Benton, Warren, Hill, Headley, Baker, Flippo, Boles, Straiton, Casey, Adams, Connel, Crowe, Nettles, Brassell, Stewart, Grey (D), Reid (R), Waldrop, Carter, Cross, Goodwin, Hobbie, Wise, Snell, Hale, Barkett, Ellis, Agee, Taylor, Coshatt, Reed (T), Weeks, Stokes, Meeks, Erdreich, Edwards and Parker (H):

H. 45. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Ways and Means.

By Mr. Brassell:

H. 46. Establishing investigators for the District Attorney's Office for the Twenty Six Judicial Circuit of Alabama; providing for the hiring, salaries and expenses, authority and duties of such officers.

Local Legislation No. 1.

By Mr. Brassell:

H. 47. To amend Section 1 of Act No. 51, H. 82, 1970 Special Session, approved March 4, 1970, (Acts of Alabama 1970 Special Session, p. 2674), entitled "Relating to the twenty-sixth judicial circuit, authorizig the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes." So as to provide that the district attorney can claim such sum or any part thereof each month as additional compensation for himself.

Local Legislation No. 1.

By Mr. Gray (F) (With Notice and Proof):

H. 48. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Local Legislation No. 1.

Notice and Proof H. 48:

PUBLIC NOTICE
A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law or regulation of the Alcoholic Beverage Control Board notwithstanding, it shall be legal to manufacture spirituous, vinous, fermented or otherwise alcoholic beverages and beer, lager beer, ale, porter or similar fermented malt liquor in Macon County and to transport, sell and deliver such vinous beverages and malt and brewed beverages to the Alcoholic Beverage Control Board or to wholesalers, distributors or jobbers outside the state.

Section 2. Nothing herein shall be construed to authorize the sale of such vinous liquor or malt or brewed beverages without payment of any lawful taxes due.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me 15th day of November, 1971.

ALICE M. WHITE,
Notary Public.

By Mr. Smith (P):

H. 49. To make all appropriations from the general fund made by Act No. 2295, H. 1804, 1971 Regular Session, approved October 1, 1971, conditional upon the condition of the State Treasury and to be paid only upon the approval of the Governor.

Ways and Means.

By Mr. Smith (P):

H. 50. To amend further Code of Alabama 1940, Title 51, Section 819, as amended, so as to provide for the payment of the premium tax on non-profit corporations organized pursuant to the provisions of Chapter 10, Article 3 of Title 28, Code of Alabama 1940, into the state Special Mental Health Fund.

Ways and Means.

By Mr. Gray (F):

H. 51. (With Notice and Proof). Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Local Legislation No. 1.

Notice and Proof H. 51:

PUBLIC NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law or regulation of the Alcoholic Beverage Control Board notwithstanding, it shall be legal to manufacture spirituous, vinous, fermented or otherwise alcoholic beverages and beer, lager beer, ale, porter or similar fermented malt liquor in Macon County and to transport, sell and deliver such vinous beverages and malt and brewed beverages to the Alcoholic Beverage Control Board or to wholesalers, distributors or jobbers outside the state.

Section 2. Nothing herein shall be construed to authorize the sale of such vinous liquor or malt or brewed beverages without payment of any lawful taxes due.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me 15th day of November, 1971.

ALICE M. WHITE,
Notary Public.

By Messrs. Hill and Flippo:

H. 52. To amend Section 2 of Act No. 2307, 250, Regular Session 1971, which Act placed certain employees of school boards or public colleges under the Teachers' Retirement System, by allowing those employees currently covered under the State Employees' Retirement System to transfer to the Teachers' Retirement System.

Ways and Means.

By Messrs. Flippo and Hill (with notice and proof):

H. 53. Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission) by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Local Legislation No. 1.

Notice and Proof H. 53:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and reestablishing a Court of County Commissioners (now Lauderdale County Commission) by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission), is further amended by amending Section 2 thereof so as to make the same read as follows:

"Section 2. For the purpose of electing members of the Court of County Commissioners (now Lauderdale County Commission) as created by this Act, Lauderdale County is hereby divided into two commissioners districts as follows:

"District 1 shall be composed of Beats 1, 2, 3, 4, 5, 6, 7, 9, 19 and Florence Beats 10–6, 10–9, 10–10, 10–12 and 10–15;

District 2 shall be composed of Florence Beats 10-1, 10-2, 10-3, 10-4, 10-5, 10-7, 10-8, 10-11, 10-13, 10-14, and 10-16, Cloverdale Beat 11-1, Cen tral Beat 11-2, Oakland Beats 12-1 and 12-2, Blackburn Beat 8, Woodland Beat 13, Chapel Beat 14, Gravelley Springs Beat 15, Smithsonia Beat 16, and Waterloo Beat 17."

Section 2. Foregoing described Act No. 39, as amended, is further amended by amending Section 3 thereof so as to make the same read as follows:

"Section 3. Two county commissioners shall be elected from each of the two commissioners' districts as established by Section 2 of this Act, as amended, by the qualified electors of such districts. One commissioner for District 1 and one commissioner for District 2 shall be elected at the general election to be held in 1972, and every four years thereafter; the other commissioner for District 1 and the other commissioner for District 2 shall be elected at the general election to be held in 1974 and every four years thereafter. Each candidate for commissioner must be a resident and qualified elector of the district he seeks to represent. Each commissioner elected must continue to reside in the district from which he was elected during his continuance in office. The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified."

Section 3. Foregoing described Act No. 39, as amended, is further amended by amending Section 4 thereof so as to make the same read as follows:

"Section 4. The present county commissioner of District 1 created by Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, shall continue to serve as one of the two county commissioners for new District 1 created by this Act until the first Monday after the second Tuesday in January, 1975 and until his successor is elected and qualified. The present county commissioner of District 3 created by said Act No. 39 shall continue to serve as one of the two county commissioners for new District 2 created by this Act until the first Monday after the second Tuesday in January, 1975 and until his successor is elected and qualified. The present county commissioner of District 2 created by said Act No. 39 shall continue to serve as one of the two county commissioners for new District 1 created by this Act until the first Monday after the second Tuesday in January, 1973 and until his successor is elected and qualified. The present county commissioner of District 4 created by said Act No. 39 shall continue to serve as one of the two county commissioners for new District 2 created by this Act until the first Monday after the second Tuesday in January, 1973 and until his successor is elected and qualified.

Section 4. All laws, or parts of laws, general, special or local, which conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise coming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A Bill to be entitled an act-relating to Lauderdale County: To amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved Feb. 18, 1955, as amended, the Act abolishing the board of revenue as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: August 13, 20, 27 and September 3, 1971. Florence, Ala., September 3, 1971.

BILL HARRISON,
Advertising Manager.

Sworn to before me this 3rd day of September, 1971.

WALLACE E. OWEN, JR.,
Notary Public.

My commission expires December 13, 1972.

By Messrs. Hill and Flippo:

H. 54. Relating to licenses regarding the selling of live fish, fish eggs, minnows for wholesale and retail dealers.

Ways and Means.

By Messrs. Bank, Robertson and Culver:

H. 55. To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Local Legislation No. 1.

By Messrs. Bank, Robertson and Culver:

H. 56. To amend further Section 13 of Act No. 476, H. 8, Regular Session 1965 (Acts 1965, p. 868), as amended, an act known as the "Physical Therapy Practice Act," so as to provide further for appeals from certain actions of the board.

Health.

By Messrs. Bank, Grey (D), Collins, Robertson and Coshatt:

H. 57. To make it the duty of the principal or other person in charge of a public school to report certain unlawful activities at such school and to provide a penalty for his failure to make such report.

Education.

By Messrs. Bank, Grey (D), Collins, Robertson, Coshatt and Jones (F):

H. 58. To require that automobile liability insurance be furnished to the drivers of certain state owned vehicles and the drivers of public school buses; to provide that the Department of Public Safety and any public educational institution may pay the cost of such insurance out of any funds appropriated to them for any purpose whatsoever; to require that the overall plan or master insurance policy establishing this program shall be secured under the provisions of the State Purchasing (Public Bid) Act; and to make further provisions for carrying out the provisions of this Act.

By Mr. Carter:

H. 59. To amend the title and Section 1 of Act No. 439, S. 731, Regular Session 1971 (Acts 1971, p.), which relates to salaries of courthouse employees and to provide for equipment and supplies in certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Jones (F), Straiton and Taylor:

H. 60. To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

Local Legislation No. 4.

By Messrs. Jones (F) and Taylor:

H. 61. Proposing to amend Section 71, Article IV, Constitution of Alabama 1901, relative to the general appropriation bill, providing that if the general appropriation bill is not passed by each house before sine die adjournment of the regular biennial session of the legislature, each appropriation made in the general appropriation bill for the then current fiscal year shall be effective for each fiscal year thereafter until repealed or superseded by another general appropriation act.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Jones (F) and Taylor:

H. 62. Proposing an amendment to the Constitution relating to the appropriation of State funds in the event the Legislature adjourns sine die without making provisions therefor.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Jones (F) and Taylor:

H. 63. Proposing an amendment to the Constitution relating to the appropriation of State funds in the event the Legislature adjourns sine die without making provisions therefor.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Jones (F):

H. 64. Relating to motor vehicles; to provide for and require registration of titles to, and encumbrances upon certain motor vehicles; imposing penalties for violations of the Act, and providing for its enforcement.

Judiciary.

By Mr. Stubbs (with notice and proof):

H. 65. To amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equity and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 65:

LEGAL NOTICE

STATE OF ALABAMA
SHELBY COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

An act to amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equity and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section No. 25 of Act No. 670 approved by the 1971 General Session of the Legislature of the State of Alabama be and the same hereby amended to read as follows:

Section 25. The Law and Equity Court of Shelby County, Alabama, as created by Act 246, page 347, Volume 1, Acts of Alabama, 1965 Regular Legislative Session, be and the same is hereby abolished, and from and after the effective date of this Act shall no longer exist, and no officer of this State of County shall collect any fees or salaries because of said court, or for services rendered in said court, and all cases, except those in Equity, pending in the Law and Equity Court of Shelby County, Alabama, as created by said Act 246, upon the effective date of this Act, shall immediately become pending upon the docket of the Shelby County Inferior Court, as though originally brought in said Court, and shall be called for trial as above provided, and all judgments and decrees heretofore rendered, with the exeption of those rendered in Equity, in the Law and Equity Court of Shelby County, Alabama, and pending in said Court shall be transferred to the Shelby County Inferior Court and the said Shelby County Inferior Court shall have the same powers and control over such judgments and decrees and shall issue execution and other processes thereon in all respects as if the judgment or decree had been originally rendered in said Shelby County Inferior Court. All cases and causes of action now or heretofore pending in Equity in the Law and Equity Court of Shelby County, Alabama, as created by said Act 246, upon the effective date of this Act shall immediately become pending upon the docket of the Circuit Court of Shelby County, as though originally brought in said Court, and shall be called for trial as above provided, and all judgments and decrees heretofore rendered in the Law and Equity Court of Shelby County, Alabama, in Equity, shall be transferred to the Circuit Court of Shelby County, Alabama, and the said Circuit Court of Shelby County, Alabama, shall have the same powers and control over such judgments and decrees and shall issue execution and other processes thereon in all respects as if the judgment or decree had been originally rendered in said Circuit Court of Shelby County, Alabama.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF SHELBY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a

newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: Oct. 21, 28, Nov. 4, and 11, 1971.

MILDRED WALLACE.

Subscribed and sworn to before me this 12th day of November, 1971.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 66. To apply in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 66:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply in Shelby County, designating, the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1 (a). In lieu of any and all chief deputy sheriff, deputies sheriff, jailers or matrons heretofore authorized by law, the sheriff is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from the county treasury each month in the amounts listed below.

Number of employees authorized: Rank: Compensation:

1 Chief Deputy—Compensation Shall be comparable to a Captain in Alabama State Highway Patrol.

1 Lieutenant—Compensation Shall be comparable to a Lieutenant in Alabama Highway Patrol.

8 Deputies—Compensation Shall be comparable to State Troopers in Alabama State Highway Patrol.

1 Matron—Compensation Shall be comparable to a Clerk Stenographer 111 in the Alabama Department of Public Safety.

3 Jailers—Compensation Shall be comparable to State Troopers in Alabama State Highway Patrol.

1 Chief Investigator—Compensation Shall be comparable to and not less than Alabama State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Captain; (between said limitations, the sheriff shall fix said employee's salary).

1 Sergeant—Compensation Shall be comparable to a Sergeant in State Trooper in Alabama State Highway Patrol.

2 Patrolmen—Compensation Shall be comparable to State Troopers in Alabama State Highway Patrol.

Said one Chief Investigator's and one Sergeant's and 2 Patrolmen's salaries and other renumeration or benefits to said officers may be funded under the Law Enforcement Assistance Act so long as such funds are available, and when not available, said officers shall be paid out of the General Fund of Shelby County or out of any other fund from which the Shelby County Commission elects to pay said officers.

(b). The Chief Deputy, Lieutenant, Chief Investigator, and Sergeant shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

All other personnel listed shall begin employment under the provision of this act in the grade corresponding with the number of years experience in law enforcement.

Section 2. All above named personnel shall be required to complete such training, schooling and inservice training as are from time to time required and prescribed by the Sheriff of Shelby County, Alabama, such training, schooling and inservice training be paid by the county governing body.

Section 3. The word experience as mentioned above in this Act shall mean time spent in the employment of any recognized law enforcement agency of the Federal Government, any State of the United States, or any county or municipality thereof.

Section 4. In addition to the compensation referred to in Section 1 of this Act all employees of the sheriff's department described in Section 1 of this Act shall be entitled to $20.00 per month compensation for uniform allowance which shall be paid from the county treasury.

Section 5. Each employee of the sheriff's department referred to in this Act shall be a resident of the county or become a resident of the county within six months after employment by the sheriff's department.

Section 6. In addition to the employees authorized in Section 1 of this Act, the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 7. The sheriff of Shelby County shall continue to receive not less than the same compensation and allowances each month after the passage of this Act as he received each month after taking office during his present term of office beginning January 1971.

Section 8. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Shelby County Commission but shall not be decreased.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 10. Any law or parts of law in conflict with this Act including any parts of Act No. 94, Acts of Alabama 1965, Page 117 which may conflict with the provision of this Act are hereby repealed.

Section 11. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1971. Act. No. 484, Regular Session 1967 shall be repealed effective October 1, 1971.

STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: Oct. 7, 14, 21, and 28, 1971.

MILDRED WALLACE.

Subscribed and sworn to before me this 29th day of October, 1971.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 67. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 67:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the spraying or dusting of any poisonous substance of chemical that is injurious to the health or wellbeing of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to spray or dust any poisonous substance or chemical that is injurious to wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft.

Section 2. Provided however, the provisions of this Act shall not apply to any application of any material whether from the air or ground, the primary pupose of which is to control mosquitoes, eradicate fire ants or other insects considered to be harmful by the State Department of Agriculture.

Provided further that the provisions of this Act shall not apply to any spraying or dusting application of any material, whether from air or ground to cropland or pasture land, which primary purpose was to improve or enhance the production of food, cotton and like crops.

Section 3. Any person who violates any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction may be punished by a fine not to exceed one thousand dollars and/or by imprisonment in the county jail not to exceed six months.

Section 4. Each day's violation of the provisions of this act shall constitute a separate violation.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: October 21, 28, November 4, and 11, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 12th day of November, 1971.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 68. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Local Legislation No. 1.

Notice and Proof H. 68:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any motor vehicle, or any gun, rifle, ammunition or other hunting equipment which has been or is used for illegal nighttime deer hunting in Shelby County shall be contraband, and, in the discretion of the circuit court of such county, may be forfeited to the State of Alabama, as hereinafter provided.

Section 2. The sheriff or any other person authorized to enforce the game and fish laws of this state who apprehends any person hunting deer in Shelby County in the nighttime, or who finds any vehicle which is being or has been used in such illegal nighttime hunting shall seize such vehicle and any gun, rifle, ammunition or other deer hunting equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the solicitor or other prosecuting official in the county. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances surrounding the seizing of the property.

Section 3. The solicitor or other prosecuting officer of the county upon receiving such report shall at once institute, or cause to be instituted, condemnation proceedings in the circuit court of Shelby County in equity, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and other vehicles used in the illegal transportation of alcoholic beverages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and hunting equipment under this Act shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture, and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249, shall apply to and govern all such proceedings.

Section 4. In order to condemn and confiscate any of the property set out in Section 1 it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in the county while hunting in the nighttime or that the hunter be apprehended in the actual act of killing deer; but it shall be sufficient to prove possession upon the person or in the motor

vehicle of a gun, rifle, ammunition and other equipment at such time and place and under such circumstances as would support a conviction for illegally hunting deer in the nighttime.

Section 5. The proceeds of the sale of any property condemned and forfeited to the state under authority of this Act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state conservation fund.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: October 21, 28, Nobember 4, and 11, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 12th day of November, 1971.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 69. To authorize those persons in Shelby County who have been designated agent by the Probate Judge of Shelby County for the sale of hunting and fishing licenses to charge a service fee of not more than twenty-five cents for each such license issued by them; said twenty-five cents to be in addition to all other issuance fees provided by law for the sale of such license.

Local Legislation No. 1.

Notice and Proof H. 69:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows that be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize those persons in Shelby County who have been designated agent by the Probate Judge of Shelby County for the sale of hunting and fish-

ing licenses to charge a service fee of not more than twenty-five cents for each such license issued by them; said twenty-five cents to be in addition to all other issuance fees provided by law for the sale of such license.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Persons who have been appointed agent for the sale of hunting and fishing licenses in Shelby County by the Probate Judge of Shelby County are hereby authorized to collect a service fee of not more than twenty-five cents for each such license issued by them which service fee shall be in addition to all other issuance fees provided by law.

Section 2. Such twenty-five cents service fee shall be retained by the agent as compensation for his services in connection with the sale of such license.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: October 21, 28, November 4, and 11, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 12th day of November, 1971.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs:

H. 70. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, auhtorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Local Legislation No. 1.

By Messrs. Cauthen, Bank, Doss and Weeks:

H. 71. To repeal Section 506, Act No. 1407, S. 414, Regular Session 1971, entitled "Alabama Uniform Controlled Substances Act."

Health.

By Messrs. Grainger, Lutz and King:

H. 72. To provide that the city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Local Legislation No. 4.

By Messrs. Grainger, Lutz and King:

H. 73. To appropriate $400,000.00 from the Special Educational Trust Fund of the State of Alabama to compensate the Madison County Board of Education for the loss of buildings and other facilities and improvements built, erected, paid for, or purchased by said Board, said buildings, facilities and improvements being located on property owned by the State of Alabama, and which said buildings, facilities and improvements have been taken under the complete and total control of the State of Alabama to be used as it deems fit.

Ways and Means.

By Messrs. Lutz, King and Grainger:

H. 74. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters; to provide that the provisions of this Act shall be retroactive.

Local Legislation No. 4.

By Messrs. King, Lutz and Grainger:

H. 75. To amend Section 1 of Act No. 796, H. 1033, of the 1971 Regular Session of the Legislature, approved September 7, 1971, which said act provides for the election by popular vote of the City Board of Education in municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent Federal Decennial Census so as to provide that the terms of the members first elected to Boards of Education under the provisions of said act will be staggered.

Local Legislation No. 4.

By Messrs. Grainger, King and Lutz:

H. 76. To amend Section 4 of Act No. 1738, H. 2575, 1971 Regular Session, approved September 17, 1971 entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership," so as to

provide that employees of officials of state supported institutions of higher learning may serve on the commission established by this Act; giving the provisions of this amendment retoractive effect.

Local Legislation No. 4.

By Mr. Coshatt (With Notice and Proof):

H. 77. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 77

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Pell City in St. Clair County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

That portion of the East one-half of Section 26, Township 17, Range 3 of St. Clair County lying east of Highway 231.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 29, October 6, October 13, and October 20, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me October 20, 1971.

ANNE T. MILAM,
Notary Public.

By Mrs. Wynot:

H. 78. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Ways and Means.

By Mr. Lang (With Notice and Proof):

H. 79. To create the Court of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Local Legislation No. 1.

Notice and Proof H. 79:

STATE OF ALABAMA
PICKENS COUNTY

Notice is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create the Court of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established the Court of General Sessions of Pickens County with jurisdiction coextensive with the county of criminal and civil matters as hereinafter provided.

Section 2. (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed Two Thousand ($2,000.00) Dollars and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including paternity and bastardy proceedings and actions for unlawful detainer, for detinue concurrent with the Circuit Court, and for the recovery of possession of land without limitation as to the value of the property involved), heretofore, cognizable before the County Court, Juvenile Court and Justices of the Peace. The jurisdiction of the Court as to the amount in controversy shall not be reduced below said $2,000.00 maximum amount, notwithstanding the fact that some pertinent statutes might set lower amount limits when referring to Justice of the Peace Courts. The Court shall have jurisdiction of desertion and non-support as provided in Title 34, Section 89–104, of the Code of Alabama, and the Probate Court of Pickens County is hereby divested of said jurisdiction. It shall have authority to punish contempts by fine not exceeding $50.00 or a term in the county jail not exceeding

five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions of ejectment or of any matter or proceeding congizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosecution shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate or public official of Pickens County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Pickens County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgements of orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Pickens County and shall be governed by the provisions of Sections 362, 371 and 372 of Title 13, and Section 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Pickens County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The County Court of Pickens County and the Juvenile Court of Pickens County and all Justice of the Peace Courts in Pickens County are abolished.

(g) In any civil action pending in the Court of General Sessions of Pickens County, if the defendant files a plea of set off or recoupment claiming an amount in excess of $2,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Pickens County where the same shall proceed as if originally commenced therein.

(h) The Court of General Sessions of Pickens County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3. (a) The judge of the Court of General Sessions of Pickens County shall be appointed by the Pickens County Commission, the governing body of said county, from applications submitted, to hold office until September 30, 1975 his successors shall be appointed for terms of four years each beginnings October 1, 1975 and every four years thereafter, by resolution of the Pickens County Commission adopted not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge. No person shall be eligible to appointment as Judge of the Court of General Sessions of Pickens County who is not learned in the law and a qualified elector of Pickens County. The judge shall before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitu-

tion of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Pickens County Commission, such appointment to be for the unexpired term.

Section 4. (a). The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the judges of Circuit Courts at law; (2) administer oaths and take acknowledgments; (3) solemnize marriages; (4) issue search warrants; (5) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provided, at the expense of the County, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act, a special judge shall be appointed, as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of not less than Four Thousand Eight Hundred Dollars ($4,800.00) and not more than Seven Thousand Six Hundred Dollars ($7,600.00) to be determined by the Pickens County Commission, payable out of the general fund of the county in equal monthly installments.

Section 5. (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Thursday in each month at the Courthouse for the trial or civil actions at law, and on the first Wednesday in each month for the trial of criminal cases. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person, or by deputy, and shall attend other sessions when requested by the judge. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the Judge.

Section 6. In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7. All cases in the Court of General Sessions of Pickens County shall be tried and all issues of fact decided by the judge without the intervention of a jury. The provisions of Title 13, Section 418, shall not apply to the Court of General Sessions of Pickens County.

Section 8. In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, including trial tax as now or hereafter allowed by law to be taxed and collected in such actions in the circuit court, except that there shall be taxed as clerk's fees the sum of $10.00 in each case, such fee to include services in garnishments or judgments in such cases; and in all criminal cases there shall be the same fees and commissions for the services of the clerk,

sheriff, solicitor and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in the county courts; provided, however, that in criminal cases involving violations of game and fish laws, or civil cases involving less than $100.00, the clerk shall receive in lieu of all other fees the sum of $5.00, plus commissions; and, in such cases, where the defendant pleads guilty, no solicitors fee and no trial tax, other than fair trial tax shall be taxed or collected and except there shall be taxed as clerk's fees the sum of $10.00 in each Juvenile and Desertion and Non-Support Case.

Section 9. The Assistant District Attorney or Deputy District Attorney, serving Pickens County, shall prosecute for the State all criminal cases commenced in said court.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof, as provided by law with respect to judgments rendered by the circuit court.

Section 11. (a) The Clerk of the Circuit Court of Pickens County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Pickens County shall be ex officio a deputy clerk of the Court of General Sessions of Pickens County. The clerk shall have authority to requisition at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Said clerk shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority:

(1) to administer oaths and take acknowledgments and affidavits;

(2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases;

(3) To fix bail and approve bond in misdemeanor cases;

(4) to enter all judgments, orders, and decrees of the court;

(5) to certify all appeals;

(6) to issue certificate of judgment, and

(7) to exercise all powers and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 12. All cases and actions pending in any Justice of the Peace Court in Pickens County; in the County Court of Pickens County and in the Juvenile Court of Pickens County, on the effective date of this Act, shall be transferred to the court herein created and shall proceed as though begun therein. The Court of General Sessions of Pickens County shall have the same jurisdiction to enforce judgments heretofore rendered by the said Justice of the Peace Courts, by the County Court of Pickens County and by the Ju-

venile Court of Pickens County, in all respects as though the judgments had been rendered by it.

Section 13. The provision of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 14. This act shall become effective on its passage and approval by the Governor or its otherwise becoming law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA
PICKENS COUNTY

Before me, Euteal V. Junkin, a Notary Public in and for said County, personally appeared Daisy J. Junkin, Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: 10–21, 10–28, 11–4 and 11–11, 1971.

DAISY J. JUNKIN.

Subscribed and sworn to before me, this the 12th day of Nov., 1971.

EUTEAL V. JUNKIN,
Notary Public.

By Messrs. Merrill and Stewart:

H. 80. To authorize and provide for converting Gadsden State Junior College into a branch of Jacksonville State University; to prescribe the manner of so converting such college into such branch of the university and to provide for the transfer of certain duties, responsibilities, assets and liabilities of the State Board of Education relative to the Gadsden State Junior College to the Board of Trustees of Jacksonville State University; and to provide that said Board of Trustees shall be the governing board of said college.

Judiciary.

By Messrs. Boutwell, Weeks, Erdreich, Falkenburg, Jones (E), Boles, Parker (H), Dill, Timmons, Doss, Cherner and Gloor:

H. 81. To amend Act No. 971 enacted at the 1971 Regular Session of the Legislature of Alabama, entitled "An Act to authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility, and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to

finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required", so as to amend the title of said Act, to expand the definition of Off-street Parking Facilities to include offices, a cafeteria or other food service facilities and passage ways or crosswalks to connect such facilities with the courthouse; to amend Section 2 of said Act to make additional legislative findings; and to amend Section 3 of said Act so as to identify more specifically the permissible location of such off-street parking facilities, and provide for the leasing of any part of such facilities.

Local Legislation No. 2.

By Messrs. Boutwell, Weeks, Erdreich, Falkenburg, Boles, Jones (E), Dill, Parker (H), Timmons, Doss, Cherner and Gloor:

H. 82. To authorize and direct the State of Alabama to pay from the revenue received from the State Sales and Use Tax and into the General Fund of each County which has a population in excess of five hundred thousand (500,000) according to the last or any subsequent federal census, an amount equal to two percent (2%) of the face value of the food stamps issued in each such County under the United States Food Stamp Program.

Local Legislation No. 2.

By Mr. Robertson:

H. 83. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Local Legislation No. 1.

By Mr. Robertson:

H. 84. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings.

Local Legislation No. 1.

By Messrs. Robertson and Parker (T):

H. 85. Relating to counties having a population of not less than 115,000 nor more than 150,000; to provide that the county Board of Education shall provide liability insurance coverage for any vehicle owned by them or operated under their jurisdiction and control.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Reed (T):

H. J. R. 4. TO CREATE A JOINT LEGISLATIVE COMMITTEE TO STUDY AND INVESTIGATE THE ALABAMA PRISON SYSTEM.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That

1. There is hereby created and established a joint legislative study committee composed of five members of the Senate, appointed by the President of the Senate, and five members of the House of Representatives appointed by the Speaker of the House, to study and investigate the Alabama prison system. Insofar as possible appointments to such committee shall be made from persons volunteering for service on such committee. The members of the committee shall meet within thirty days after their appointment at a place agreed upon, and shall elect a chairman and vice-chairman from among their number.

2. In conducting its study and investigation the committee shall especially study housing, feeding, clothing, health and disciplinary practices and procedures, and deviations from normal ways of life of prisoners. The committee may also study any other phase of the prison problems which the committee may deem to be pertinent.

3. The committee shall make a final report including its findings, conclusions and recommendations to the next session of the Legislature unless the Legislature is called back into Special Session before the committee has completed its study and investigation and prepared its report, in which event, it shall report to the next regular session of the Legislature. Upon filing its report the committee shall be dissolved.

4. The members of the committee shall receive no compensation for their services, but shall be entitled to receive their regular legislative per diem and allowances for each meeting of the committee actually attended, or when otherwise actually engaged in the business of the committee. Such per diem pay and allowances together with all expenses incurred shall be paid out of any funds appropriated to the use of the legislature upon requisition of the committee chairman, but in no case shall such expenditures exceed the total sum of twenty-five hundred dollars ($2,500.00).

On motion of Mr. Reed (T), the rules were suspended and the resolution, H. J. R. 4, was adopted.

Also:

By Messrs. Erdreich, McBride and Parker (H):

H. J. R. 5. COMMENDING HEWITT-TRUSSVILLE ELEMENTARY SCHOOL ON ITS INSTRUCTIONAL PROGRAM.

WHEREAS, Hewitt-Trussville Elementary School has successfully implemented a new concept in educating its pupils; and

WHEREAS, Hewitt-Trussville Elementary School, by utilizing the "classrooms without walls" method of elementary education, is providing superior individualized instruction to its pupils and giving a new, special impetus to learning within our public schools; and

WHEREAS, this new, progressive program at Hewitt-Trussville Elementary School is serving as a model of improved methods for educating the children of Alabama;

NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we most highly commend Hewitt-Trussville Elementary School, its principal, Horace Gordon, and teachers for their most successful instructional program and assure them that we are most grateful to them for their invaluable and continuing contribution to Alabama education.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Hewitt-Trussville Elementary School, the Jefferson County Board of Education, and the Alabama State Board of Education.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 5, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank and Culver:

H. J. R. 6. COMMENDING HOLT HIGH SCHOOL FOOTBALL TEAM ON UNDEFEATED SEASON.

WHEREAS Holt High School has just completed one of its finest football seasons with ten consecutive wins; and

WHEREAS they did upset many fine teams and surprised many so-called football prognosticators in the process; and

WHEREAS this undefeated season was the result of the fine coaching of Coach Woody Clements and the sportsmanship, teamwork, and hard-nosed playing of the Holt High School football team; and

WHEREAS these young men and their coach are to be greatly commended; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily congratulate Holt High School on winning all ten games of their 1971 football season.

BE IT FURTHER RESOLVED, that the Clerk of the House send sufficient copies of this resolution for distribution among the members of the football team, the coach and the principal of Holt High School.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 6, on the Clerk's desk for one legislative Day.

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 3:00 o'clock P. M., Tuesday, November 16, 1971.

SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, November 16, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chriss Doss, Honorary Chaplain, House of Representatives, and Pastor, Vestavia Hills Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Sneil
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has care-

fully examined the Journal of the House for the first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments and it was read a second time and placed on the Celendar, to-wit:

H. 1 (With Amendments). To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2. To amend Section 32 of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama so as to make further provisions respecting the use of the proceeds from the taxes levied by the said Act, as amended.

H. 3. To amend Section 808 of Title 51, Code of Alabama 1940, as heretofore amended, so as to make further provisions respecting the use of the proceeds from the excise tax, commonly known as the state use tax, levied by Section 788 of the said Title 51, as amended.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 4 (With Amendments). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 5. To amend Section 910, Title 51, Code of Alabama of 1940, as heretofore amended, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

H. 6. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

H. 7. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public School and College Authority to sell and issue additional bonds for the purpose of reconstruction, improvement, alteration, repair and renovation of facilities to eliminate existing or potential fire hazards so as to make such facilities fireproof at Alabama State Hospitals and the Partlow State School and Hospital; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

H. 8. To amend Sections 24 to 27 inclusive of Act No. 2295, of the 1971 Regular Session of the Alabama Legislature relating to appropriations for capital outlay purposes.

H. 11. Relating to corporations organized for the purpose of establishing regional mental health programs and facilities; to exempt from all taxation such corporations which are certified or licensed by the State Board of Health under the provisions of Act No. 881, adopted at the 1965 Regular Session of the Legislature of Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 25. To amend Section 1 of Act No. 604, S. 93, approved August 29, 1969, 1969 Regular Session (Acts of 1969, p. 1092) entitled, "An Act Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail, so as to make said Act apply to students attending educational institutions located outside the county of their residence."

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 71. To repeal section 506, Act No. 1407, S. 414, Regular Session 1971, entitled "Alabama Uniform Controlled Substances Act."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants according to the most recent federal decennial census; to provide that the members of the county commission of any such county may be paid a salary not to exceed $4,800 per year.

H. 10. Relating to all counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county commission of said counties to pay the members of the jury commission in said county such an additional amount as will make their total compensation $15 per day for each day they serve in said capacity.

H. 15. Relating to Cullman County, levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of ciga-

rettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

H. 16. Relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

H. 17. To further amend Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089), as amended, which provides for the appointment of a clerk for the sheriff's office of any county having a population of not less than 13,000 nor more than 13,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 18 (With Amendments). To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to provide for the transfer of all cases pending in the Dale County Court and in the Juvenile Court of Dale County to the newly estabiished court.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 21. To set license fees paid to county barber commissions in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent Federal Decennial Census.

H. 22. To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Albertville and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

H. 23. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

H. 24. To set the salary of the clerk of the jury commission of any county having a population of not less than 38,100 nor more than 40,500, according to the last or any subsequent federal decennial census.

H. 26. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and

Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

H. 27. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; authorizing the judge of probate to appoint a probate court clerk; to define his duties; to direct the filing of a bond and provide for the compensation of such position.

H. 40. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

H. 41. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to authorize the county commission of any such county to provide a clerk hire allowance for the circuit clerk not to exceed $500 per month.

H. 44. To amend the title and Section 1 of Act No. 620, H. 795, Regular Session 1967 (Acts 1967, p. 1425) which provides for an expense allowance for the coroner of certain counties classified on a population basis; to make the provisions of this Act retroactive.

H. 48. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

H. 53. Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission) by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 55. To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 65. To amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equi-

ty and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

H. 66. To apply in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

H. 67. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

H. 68. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

H. 69. To authorize those persons in Shelby County who have been designated agent by the Probate Judge of Shelby County for the sale of hunting and fishing licenses to charge a service fee of not more than twenty-five cents for each such license issued by them; said twenty-five cents to be in addition to all other issuance fees provided by law for the sale of such license.

H. 70. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in relating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

H. 77. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 79 (With Amendment) To create the ourt of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 83. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000

nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

H. 84. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings.

H. 85. Relating to counties having a population of not less than 115,000 nor more than 150,000; to provide that the county Board of Education shall provide liability insurance coverage for any vehicle owned by them or operated under their jurisdiction and control.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 29. To authorize the governing body of Jefferson County, Alabama, to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

H. 30. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of three (3) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

H. 31. To amend Section 139 of Title 13 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, administrations of estates may be transferred to the Circuit Court only by order of the judge of probate upon the petition of a party in interest showing the need for such transfer.

H. 32. To amend Section 26 of Title 21 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, guardianships may be transferred to that Circuit Court only by order of the Judge of Probate upon the petition of a party in interest showing the need for such transfer.

H. 33. To amend Section 17 of Act No. 497 of the 1965 Regular Session of the Legislature, as amended, by providing for the purposes of this

Act; supernumerary judges shall be considered as retired employees and shall be entitled to earned benefits as provided for in this Act.

H. 34. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 37. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

H. 38. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalties to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

H. 39. To authorize the governing body of any county to pay the expenses of canvassing votes cast in any primary election held in such county.

H. 81. To amend Act No. 971 enacted at the 1971 Regular Session of the Legislature of Alabama, entitled "An Act to authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required", so as to amend the title of said Act, to expand the definition of Off-street Parking Facilities to include offices, a cafeteria or other food service facilities and passage ways or crosswalks to connect such facilities with the courthouse; to amend Section 2 of said Act to make additional legislative findings; and to amend Section 3 of said Act so as to identify more specifically the permissible location of such off-street parking facilities, and provide for the leasing of any part of such facilities.

H. 82. To authorize and direct the State of Alabama to pay from the revenue received from the State Sales and Use Tax and into the General

Fund of each County which has a population in excess of five hundred thousand (500,000) according to the last or any subsequent federal census, an amount equal to two percent (2%) of the face value of the food stamps issued in each such County under the United States Food Stamp Program.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 60. (With Amendment): To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

H. 72. (With Amendment): To provide that the city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 74. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters; to provide that the provisions of this Act shall be retroactive.

H. 75. To amend Section 1 of Act No. 796, H. 1033, of the 1971 Regular Session of the Legislature, approved September 7, 1971, which said act provides for the election by popular vote of the City Board of Education in municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent Federal Decennial Census so as to provide that the terms of the members first elected to Boards of Education under the provisions of said act will be staggered.

H. 76. To amend Section 4 of Act No. 1738, H. 2575, 1971 Regular Session, approved September 17, 1971 entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership," so as to provide that employees of officials of state supported institutions of higher learning may serve on the commission established by this Act; giving the provisions of this amendment retroactive effect.

LEAVES OF ABSENCE

On motion of Mr. Robertson, leave of absence was granted for Mr. Culver, due to personal illness.

On motion of Mr. Drake, leave of absence was granted for Mr. McDonald, due to absence from the State.

RESOLUTIONS

The following resolutions introduced on the First Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 5. Commending Hewitt-Trussville Elementary School on its instructional program.

H. J. R. 6. Commending Holt High School football team on undefeated season.

On motion of Mr. Gloor, the resolutions, H. J. R. 5 and H. J. R. 6, were adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Wood, Perloff and Callahan (With Notice and Proof):

H. 86. Further regulating creditable service toward retirement under the State Employees' Retirement System; authorizing, requiring and providing for the granting of creditable service to certain present employees of the City of Mobile for services rendered by such employees prior to the time they became members of the State Employees' Retirement System.

Local Legislation No. 3.

Notice and Proof H. 86:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Further regulating creditable service toward retirement under the State Emp'oyees' Retirmeent System; authorizing, requiring and providing for the granting of creditable service to certain present employees of the City of Mobile for services rendered by such employees prior to the time they became members of the State Employees' Retirement System.

Be It Enacted by the Legislature of Alabama:

Section 1. When used in this Act the following terms shall have the meanings hereinafter ascribed to them:

"Board of Control" means and refers to the board of control of the State of Alabama Employees' Retirement System, created and existing pursuant to Act No. 515, H. 93 of the Regular Session of 1945 (General Acts of 1945, p. 734) as amended.

"State Employees' Retirement System" means the retirement system cited above.

"Union Employees' Pension Plan" means the Mobile City Lines, Inc. Union Employees' Pension Plan, as amended.

Section 2. The board of control is hereby authorized and directed to adopt and prescribe rules under which every present employee of the City of Mobile who was previously an employee of Mobile City Lines, Inc. and as such a member of and participant in the Union Employees' Pension Plan of such city lines may be given credit toward retirement for the years spent in service of the Mobile City Lines, Inc. and as members of the Union Employees' Pension Plan. Such rules shall provide that upon liquidation of the Union Employees' Pension Plan, Trust Fund, if payment is made to the treasurer of the State Employees' Retirement System of the proportionate part of such fund due such present employees of the City of Mobile, then such employees shall be granted credit for service prior to their becoming members of the State Employees' Retirement System. The amount of prior service credit given each such employees shall be determined by the board of control, based on the amount paid for credit to each such employee's account. Such rules may also provide that if payment of the above-mentioned amount is not made by the trustees of the Union Employees' Pension Fund directly to the treasurer of the State Employees' Retirement System, that such payment may be made by the several employees of the City of Mobile to such treasurer; but if so made, such payments must be accompanied by a certificate of a duly authorized person certifying the amount due such person upon the liquidttion of such trust fund. The board of control may also prescribe such additional rules to govern the awarding of such prior service credit as it deems expedient.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such delcaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley, being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register September 29, October 6, 13, and 20, 1971.

JUDY BEASLEY.

Sworn to and subscribed before me this 21st day of October, 1971.

E. E. KOCH,
Notary Public.

By Messrs. Waldrop, Wynot and Carnes:

H. 87. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

Highway Safety.

By Messrs. Waldrop and Carnes:

H. 88. To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors, and repealing conflicting laws.

Constitution and Elections.

By Messrs. Baker and Williams:

H. 89. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Baker and Williams:

H. 90. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Waldrop, Carnes and Wynot:

H. 91. To require any automobile used by an employee of the Department of Public Safety in enforcing the state's laws to be equipped with a screen or other protective device between the front and rear seats of the vehicle.

State Administration.

By Messrs. Timmons, Dill and Erdreich:

H. 92. To further regulate and control the use of automobile dealer demonstration tags and to provide penalties for the violation of this Act.

Judiciary.

By Messrs. Timmons, Dill, Parker (H), Jones (E), Wallace and Falkenburg:

H. 93. To amend Section 402 of Title 14, of the Code of Alabama, 1940, (Recompiled 1958) which relates to the offense of resisting an officer.

Judiciary.

By Mr. May:

H. 94. To amend Act No. 2428, House Bill No. 1799, Regular Session of the Alabama Legislature, 1971, which authorizes The Alabama Public

School and College Authority to sell and issue $15,000,000 aggregate principal amount of additional bonds for capital improvements for public educational purposes including trade schools and junior colleges.

Ways and Means.

By Mr. Roberts:

H. 95. To authorize the county governing bodies in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Local Legislation No. 3.

By Messrs. Agee and McCorquodale:

H. 96. To amend Section 7 of Act No. 606, S. 112, Regular Session, 1969, an Act to create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Ways and Means.

By Messrs. Agee and McCorquodale:

H. 97. To amend Section 7 of Act No. 606, S. 112, Regular Session, 1969, an Act to create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, terms, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Ways and Means.

By Mr. Dill:

H. 98. To raise revenue; levying an excise or license tax on the privilege of engaging in the business of making installment loans or credit sales or offering open end credit plans within the State of Alabama; prescribing the rate thereof; providing for the collection thereof; providing that such tax shall be in addition to all other taxes on the privilege of engaging in such businesses; prescribing the use of the proceeds of such tax; and prescribing penalties.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Crawford and Connell:

H. J. R. 7. COMMENDING ABBEVILLE FOOTBALL TEAM

WHEREAS, The Abbeville High school football team won the Wiregrass Athletic Conference Championship for the past year; and

WHEREAS, The Abbeville High School football team has also won the

honor of participating in the Alabama High School State Championship for Class AA; and

WHEREAS, The Abbeville High School football team worked diligently, long and hard to achieve these fine goals; and

WHEREAS, Throughout this long and hard season the Abbeville High School football team did run, pass, block and tackle with skill and enthusiasm, and

WHEREAS, Coach David Barnes and his assistant coaches are due much credit not only for the high degree of technical skill displayed in team play but also for the fine spirit and will to win which is necessary to a winning team; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend the Abbeville High Yellow Jackets for winning the Wiregrass Athletic Conference Championship and wish this football team overwhelming success in their forthcoming battles for the Alabama High School Athletic Association Championship for Class AA.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to the principal, Coach Barnes, his Assistant coaches and to each team member of the Abbeville High School team, and to the Principal of the Abbeville High School, Mr. Gordon Holmes.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 7, on the Clerk's desk for one legislative day.

Also:

By Messrs. Turnham and Stewart:

H. J. R. 8. WHEREAS, Science, Engineering, and Technology play such an important part of the total development of Alabama, and

WHEREAS, Every citizen is affected by and benefits from the fruits of science, engineering, and technology in areas such as transportation, energy, and the environment, and

WHEREAS, The application of technology is a potent factor in our economy and should be more effectively utilized by government at both the state and local levels, and

WHEREAS, There is a need to identify new technology which may have application in Alabama, and

WHEREAS, Many other states have created Boards or Councils for Science and Technology, now, therefore, be it

RESOLVED, Both houses concurring, that there immediately be created a Science, Engineering, and Technology Study Commission to make recommendations to the Legislature regarding creation of such a Board, Council, or Commission which may serve as an effective means of providing assistance and advice to the Executive and Legislative branches, making better use of scientific, engineering, and technical resources which are available to the state, particularly those which are partially supported by the state in the colleges and universities, and be it further

RESOLVED, That the Science, Engineering, and Technology Study Commission be directed to evaluate and make recommendations regarding the best composition of a Board, Council, or Commission on Science, Engineering, and Technology, and be it further

RESOLVED, That the Science, Engineering, and Technology Study Commission be composed of eight qualified members, as follows: two members of the Senate chosen by the President of the Senate; two members of the House of Representatives chosen by the Speaker of the House; one representative of the Alabama Development Office; one representative of the Dept. of Conservation; and two members at large, one representing industry and one to be appointed by the Governor representing the scientific/engineering community, and be it finally

RESOLVED, That the Commission shall report its findings and recommendations to the Speaker of the House, President of the Senate, and Governor of the State of Alabama not later than June 1, 1972.

And the resolution, H. J. R. 8, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Hobbie, Harris, Taylor, Straiton and Jones (F):

H. J. R. 9. MOURNING THE DEATH OF JAMES EDWIN LIVINGSTON, FORMER CHIEF JUSTICE OF THE ALABAMA SUPREME COURT

WHEREAS James Edwin Livingston, age 79, and former Chief Justice of the Alabama Supreme Court recently passed away at a Montgomery hospital; and

WHEREAS Judge Livingston commenced his service on the Alabama Supreme Court as an associate justice in 1940 and served in that capacity until he was appointed Chief Justice in 1951, which position he held until he retired in 1970; and

WHEREAS Judge Livingston, who was a native of Notasulga, Alabama, graduated from Auburn University and received a law degree from the University of Alabama; and

WHEREAS Judge Livingston began his law practice in 1919 in Tuscaloosa with the firm of Livingston and Smith and served with that firm for 21 years, teaching parttime at the University of Alabama from 1922 through 1940; and

WHEREAS Judge Livingston was one of the outstanding attorneys, teachers and jurist in this State; and

WHEREAS Judge Livingston's impact on the jurisprudence of Alabama will long be felt; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do express their deep sorrow and mourning at the passing of Judge James Edwin Livingston.

BE IT FURTHER RESOLVED That the Clerk of the House is hereby directed to send a copy of this resolution to Judge Livingston's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 9, on the Clerk's desk for one legislative Day.

Also:

By Messrs. Hobbie, Harris, Taylor, Straiton and Jones (F):

H. J. R. 10. MOURNING THE DEATH OF GROVER C. HALL, JR.

WHEREAS Grover C. Hall, Jr., the nationally famous journalist and newspaperman and a native of Montgomery, Alabama, recently passed away; and

WHEREAS Mr. Hall was left a rich heritage of achievement in his chosen field by his Pultizer Prize-winning father, the late Mr. Grover Hall, Sr., who was the long-time editor of the Montgomery Advertiser and under whose tutelage and practical guidance the son steadily progressed; and

WHEREAS Grover C. Hall, Jr., served with the United States Air Force for four years during World War II and after the war authored the book 1,000 Destroyed: The Life and Times of the Fourth Fighter Group; and

WHEREAS Mr. Hall rapidly advanced through the positions of police reporter, capitol reporter, associate editor and editor-in-chief of the Montgomery Advertiser, which, during his long tenure as editor, was one of the South's most influential and outstanding newspapers; and

WHEREAS many honors came to Grover C. Hall, Jr., viz: in 1957 he was the recipient of the National Headliner award for editorial writing from the National Conference of Editorial Writers; was a member of the National Planning Association and its national council; was a member of the American Society of Newspaper Editors; was a member of the National Conference of Editorial Writers; was a member of Sigma Delta Chi; and in 1966 he was named outstanding editor of the year by the Montgomery Council of Industrial Editors; and

WHEREAS in 1966 Mr. Hall left the Montgomery Advertiser and for over two years was on the editorial staff of the Richmond (VA.) News Leader until he resigned to become Washington columnist for the Publishers-Hall Syndicate immediately prior to his return to Montgomery; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do express their sincere sorrow and grief at the passing of Mr. Grover C. Hall, Jr.

BE IT FURTHER RESOLVED That copies of this resolution be sent to members of his family by the Clerk of the House.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 10, on the Clerk's desk for one legislative day.

Also:

By Messrs. Hobbie, Harris, Taylor, Straiton and Jones (F):

H. J. R. 11. MOURNING THE DEATH OF ROYCE GIDEON KERSHAW OF MONTGOMERY

WHEREAS Royce Gideon Kershaw, prominent Montgomery business-

man, manufacturer, inventor and civic leader, recently died after an extended illness; and

WHEREAS Mr. Kershaw was a native of Renfroe, was chairman of the boards of Kershaw Manufacturing Company, Inc., Royce Kershaw Company, Inc. and Montgomery Independent Publishing Company; and

WHEREAS Mr. Kershaw, who was 73 years old at the time of his death, had gained international renown by inventing a number of machines used in the railway industry, among them one for regulating ballast on the tracks; and

WHEREAS Mr. Kershaw had been very active in civic affairs in Montgomery County, having served as chairman of the 1956 Capital Fund Drive for the YMCA, and had served as director of numerous organizations, among them the Greater Montgomery Area Chamber of Commerce and the Montgomery Industrial Development Board; and

WHEREAS Mr. Kershaw is survived by his widow and two sons, Royce Gideon Kershaw, Jr. and John Knox Kershaw II; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE; BOTH HOUSES THEREOF CONCURRING, That they do mourn the loss to the State of Alabama of Royce Gideon Kershaw.

BE IT FURTHER RESOLVED That a copy of this resolution be sent by the Clerk of the House to Mr. Kershaw's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 11, on the Clerk's desk for one legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. Relative to appointing a Committee to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

Also:

H. J. R. 3. Relative to a joint session of the House and Senate for the purpose of hearing an address by the Honorable George C. Wallace, Governor of Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

MOTION TO ADJOURN

Mr. McCorquodale moved that the House adjourn until 3:00 o'clock p. m., Wednesday, November 18, 1971.

SUBSTITUTE MOTION LOST

The substitute motion of Mr. Erdreich that the House adjourn until 11:00 o'clock a. m., Wednesday, November 18, 1971, was lost.

Yeas 16; Nays 32.

Yeas:

Messrs.:	Flippo	Nettles	Taylor
Boutwell	Gray (F)	Parker (H)	Therrell
Cherner	Hill	Perloff	Timmons
Doss	McBride	Stubbs	Warren
Erdreich			

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Nays:

Mr. Speaker	Dill	Lutz	Reid (R)
Adams	Downing	McCorquodale	Roberts
Agee	Easters	Mathews	Slate
Barkett	Gafford	Naramore	Stokes
Collins	Grainger	O'Daniel	Turner
Connell	Grey (D)	Owens	Wallace
Coshatt	Harris	Parker (T)	Williams
Cottingham	Headley	Reed (T)	Wynot

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ADJOURNMENT

The question, then, was on the motion of Mr. McCorquodale that the House adjourn until 3:00 o'clock p. m., Wednesday, November 18, 1971, and the motion was adopted.

THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, November 17, 1971

The House met pursuant to adjournament.

PRAYER

The session was opened with prayer by Mr. Paul Tarence, Professor of Bible and Speech, Alabama Christian College, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Boles	Cauthen	Crowe
Adams	Boutwell	Cherner	Dill
Adwell	Bowers	Chesnut	Doss
Agee	Brassell	Collins	Downing
Baker	Burgess	Connell	Drake
Bank	Callahan	Coshatt	Easters
Barkett	Carnes	Cottingham	Edwards
Bassett	Carter	Crawford	Ellis
Benton	Casey	Cross	Erdreich

Falkenburg	Jones (E)	O'Daniel	Stokes
Fite	Jones (F)	Owens	Straiton
Flippo	King	Parker (H)	Stubbs
Gafford	Kinsey	Parker (T)	Taylor
Gloor	Lang	Perloff	Therrell
Goodwin	Lutz	Pruitt	Timmons
Grainger	McBride	Reed (T)	Turner
Gray (F)	McCluskey	Reid (R)	Turnham
Grey (D)	McCorquodale	Reynolds	Waggoner
Hale	Manley	Roberts	Waldrop
Hardin	Mathews	Robertson	Wallace
Harris	May	St. John	Warren
Headley	Meeks	Slate	Weeks
Hearn	Merrill	Smith (K)	Williams
Hill	Mims	Smith (P)	Wise
Hobbie	Naramore	Snell	Wood
Jackson	Nettles	Stewart	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Robertson, leave of absence was granted for Mr. Culver, due to personal illness.

On motion of Mr. Drake, leave of absence was granted for Mr. McDonald, due to absence from the State.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 19. To further amend Section 13 of Act Number 418 approved November 13, 1959, as amended:

To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline, other liquid fuel or devises or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of

the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provisions of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

H. 59. To amend the title and Section 1 of Act No. 439, S. 731, Regular Session 1971 (Acts 1971, p.), which relates to salaries of courthouse employees and to provide for equipment and supplies in certain counties classified on a population basis.

H. 89. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuits judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

H. 90. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

RESOLUTIONS

The following resolutions introduced on the Second Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 7. COMMENDING ABBEVILLE FOOTBALL TEAM

H. J. R. 9. MOURNING THE DEATH OF JAMES EDWIN LIVINGSTON, FORMER CHIEF JUSTICE OF THE ALABAMA SUPREME COURT

H. J. R. 10. MOURNING THE DEATH OF GROVER C. HALL, JR.

H. J. R. 11. MOURNING THE DEATH OF ROYCE GIDEON KERSHAW OF MONTGOMERY

On motion of Mr. Gloor, the resolutions, H. J. R. 7, H. J. R. 9, H. J. R. 10 and H. J. R. 11, were adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. O'Daniel:

H. 99. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Local Legislation No. 1.

By Messrs. Naramore and Crowe:

H. 100. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a

population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Timmons:

H. 101. To amend further Act No. 248, H. 87, Regular Session 1955 (Acts 1955, p. 586) as amended, an act levying a state lodgings tax, so as to increase the rate of the tax and to provide further for the distribution of revenue derived therefrom.

Ways and Means.

By Mr. Reed (T):

H. 102. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Ways and Means.

By Mr. Waldrop:

H. 103. To provide a distinctive color and marking for motor vehicles used by state troopers in law enforcement.

State Administration.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 12. WHEREAS, Charles Richard Saunders served Auburn University with loyalty and devotion for 39 years until recent retirement; and

WHEREAS, this graduate of Auburn University in the Class of 1923 has, by his tireless support of the University as Professor and Dean of the School of Chemistry, contributed immeasurably to the furtherance of education in this state and region; and

WHEREAS, Dr. Saunders served the State of Alabama with distinction for almost 20 years as State Chemist; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended the naming of the Chemistry Building at Auburn University for Dean Saunders, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of Dean Saunders' outstanding service to Auburn University and to the people of Alabama, that this building be designated, named and known as the Charles Richard Saunders Chemistry Building.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Dean Saunders so that he might know that this high honor has been bestowed upon him.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 12, was adopted.

Also:

By Messrs. Turnham and Stewart:

H. J. R. 13. WHEREAS, Science, Engineering, and Technology play such an important part of the total development of Alabama, and

WHEREAS, Every citizen is affected by and benefits from the fruits of science, engineering, and technology in areas such as transportation, energy, and the environment, and

WHEREAS, The application of technology is a potent factor in our economy and should be more effectively utilized by government at both the state and local levels, and

WHEREAS, There is a need to identify new technology which may have application in Alabama, and

WHEREAS, Many other states have created Boards or Councils for Science and Technology, now, therefore, be it

RESOLVED, Both houses concurring, that there immediately be created a Science, Engineering, and Technology Study Commission to make recommendations to the Legislature regarding creation of such a Board, Council, or Commission which may serve as an effective means of providing assistance and advice to the Executive and Legislative branches, making better use of scientific, engineering, and technical resources which are available to the state, particularly those which are partially supported by the state in the colleges and universities, and be it further

RESOLVED, That the Science, Engineering, and Technology Study Commission be directed to evaluate and make recommendations regarding the best composition of a Board, Council, or Commission on Science, Engineering, and Technology, and be it further

RESOLVED, That the Science, Engineering, and Technology Study Commission be composed of eight qualified members, as follows: two members of the Senate chosen by the President of the Senate; two members of the House of Representatives chosen by the Speaker of the House; one representative of the Alabama Development Office; one representative of the Dept. of Conservation; and two members at large, one representing industry and one representing the scientific/engineering community, to be appointed by the Governor, and be it finally

RESOLVED, That the Commission shall report its findings and recommendations to the Speaker of the House, President of the Senate, and Governor of the State of Alabama not later than June 1, 1972.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 13, was adopted.

Also:

By Messrs. Turnham and Drake:

H. J. R. 14. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY H. J. R. 107, ACT NO. 483, APPROVED SEPTEMBER 6, 1957, TO STUDY THE PROBLEMS INVOLVED IN THE PRODUCTION AND PROCESSING OF COTTON.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to H. J. R. 107, Act No. 483, approved September 6, 1957 (Acts of 1957, p. 667) shall continue in existence and shall continue its work as directed in said Act No. 483, provided that the members of the committee shall be elected by the respective houses as provided in Act No. 483. The committee shall make a report to the Legislature on or before the fifth legislative day of the 1973 Regular Session.

RESOLVED FURTHER, That the Lieutenant Governor of Alabama, the Speaker of the House of Representatives and the Commissioner of Agriculture and Industries shall serve as ex officio members of the committee.

RESOLVED FURTHER, That the committee is authorized to meet thirty days in addition to the meeting days heretofore provided for, and each member of the committee shall be entitled to compensation and expenses as provided for in said Act No. 483, provided, however, that the total per diem pay, expense allowances, travel allowances and all other expenses incurred by the committee in any fiscal year shall not exceed $5,000.00, anything in said Act No. 483 of 1957 or in S. J. R. No. 4 of the First Special Session of 1959 or in Act No. 381 of the 1967 Regular Session, or hereinabove to the contrary notwithstanding.

AND RESOLVED FURTHER, That any provision of said H. J. R. 107, Act No. 483, of 1957 Act No. 7, S. J. R. 4 of the First Special Session 1959, or Act No. 381 of the 1969 Regular Session and of any other resolution in conflict with this resolution are hereby rescinded.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 14, was adopted.

Also:

By Mr. Coshatt:

H. J. R. 15. EXPRESSING THE LEGISLATURE'S FAITH IN REP. RALPH REID OF BLOUNT COUNTY.

WHEREAS our colleague, Representative Ralph Reid of Blount County was recently acquitted by a jury of his peers in a trial involving the question of misuse of union funds; and

WHEREAS this jury of twelve of his fellow citizens has found Representative Reid completely innocent of all charges placed against him; and

WHEREAS Representative Reid's fellow members in the Legislature knew in their heart that this would be the result because he is such a fine and outstanding man; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do compliment Representative Ralph Reid on receiving fair and impartial justice at his trial and do hereby express our full faith and confidence in Representtative Ralph Reid.

BE IT FURTHER RESOLVED That the Clerk of the House present Representative Reid with a copy of this resolution and send copies thereof to the news media in Representative Reid's home county and area.

On motion of Mr. Coshatt, the rules were suspended and the resolution, H. J. R. 15, was adopted.

BILLS ON THIRD READING

And the bill:

H. 9. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants according to the most recent federal decennial census; to provide that the members of the county commission of any such county may be paid a salary not to exceed $4,800 per year.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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And the bill:

H. 10. Relating to all counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county commission of said counties to pay the members of the jury commission in said county such an additional amount as will make their total compensation $15 per day for each day they serve in said capacity.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Slate
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McCorquodale	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Gloor	May	Straiton
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Merrill	Taylor
Cherner	Gray (F)	Mims	Therrell
Chesnut	Grey (D)	Naramore	Timmons
Collins	Hale	Nettles	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Doss	Jones (E)	Reid (R)	Wise
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot

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And the bill:

H. 15. Relating to Cullman County levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Was taken up.

Mr. Drake offered the following amendment to the bill:

Amend the bill by striking Section 10 and substituting in lieu thereof the following:

Section 10. All laws or parts of laws which conflict with this Act are repealed, and Act No. 2435, H. 2786, Regular Session 1971, is hereby expressly repealed.

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cottingham	Falkenburg
Adams	Burgess	Crawford	Fite
Adwell	Callahan	Cross	Flippo
Agee	Carnes	Crowe	Gafford
Baker	Carter	Dill	Gloor
Bank	Casey	Doss	Goodwin
Barkett	Cauthen	Downing	Grainger
Bassett	Cherner	Drake	Gray (F)
Benton	Chesnut	Easters	Grey (D)
Boles	Collins	Edwards	Hale
Boutwell	Connell	Ellis	Hardin
Bowers	Coshatt	Erdreich	Harris

Headley	Manley	Reed (T)	Taylor
Hearn	Mathews	Reid (R)	Therrell
Hill	May	Reynolds	Timmons
Hobbie	Meeks	Roberts	Turner
Jackson	Merrill	Robertson	Turnham
Jones (E)	Mims	St. John	Waggoner
Jones (F)	Naramore	Slate	Waldrop
King	Nettles	Smith (K)	Wallace
Kinsey	O'Daniel	Smith (P)	Warren
Lang	Owens	Snell	Weeks
Lutz	Parker (H)	Stewart	Williams
McBride	Parker (T)	Stokes	Wise
McCluskey	Perloff	Straiton	Wood
McCorquodale	Pruitt	Stubbs	Wynot

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And the bill, H. 15, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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And the bill:

H. 16. Relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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And the bill:

H. 17. To further amend Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089), as amended, which provides for the appointment of a clerk for the sheriff's office of any county having a population of not less than 13,000 nor more than 13,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Grainger
Adams	Carnes	Doss	Gray (F)
Adwell	Carter	Downing	Grey (D)
Agee	Casey	Drake	Hale
Baker	Cauthen	Easters	Hardin
Bank	Cherner	Edwards	Harris
Barkett	Chesnut	Ellis	Headley
Bassett	Collins	Erdreich	Hearn
Benton	Connell	Falkenburg	Hill
Boles	Coshatt	Fite	Hobbie
Boutwell	Cottingham	Flippo	Jackson
Bowers	Crawford	Gafford	Jones (E)
Brassell	Cross	Gloor	Jones (F)
Burgess	Crowe	Goodwin	King

Kinsey	Naramore	Robertson	Timmons
Lang	Nettles	St. John	Turner
Lutz	O'Daniel	Slate	Turnham
McBride	Owens	Smith (K)	Waggoner
McCluskey	Parker (H)	Smith (P)	Waldrop
McCorquodale	Parker (T)	Snell	Wallace
Manley	Perloff	Stewart	Warren
Mathews	Pruitt	Stokes	Weeks
May	Reed (T)	Straiton	Williams
Meeks	Reid (R)	Stubbs	Wise
Merrill	Reynolds	Taylor	Wood
Mims	Roberts	Therrell	Wynot

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And the bill:

H. 18 (With Amendment): To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to provide for the transfer of all cases pending in the Dale County Court and in the Juvenile Court of Dale County to the newly established court.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

All the words in the title to H. B. 18 appearing after the word "compensation;" in the 8th line thereof shall be deleted and there shall be inserted in their place the following words: to abolish the County Court of Dale County and the Juvenile Court of Dale County and to provide for the transfer of all cases pending in these courts to the newly established court.

The first sentence of Section 2 of H. B. 18 is hereby amended to read as follows: The County Court of Dale County and the Juvenile Court of Dale County are hereby abolished and all cases and actions pending in these courts on the effective date of this Act shall be transferred to the court hereby created and shall proceed as though begun there.

The word "and" appearing between the word "imprisonment" and the word "exceeding" in line 15 of Section 3 (a) of H. B. 18 is hereby deleted and the word "not" is inserted in place thereof.

Delete sub-section (b) of section 11 in its entirety and substitute in lieu thereof the following:

"(b) Immediately after the effective date of this Act the Governor shall appoint a Judge of the Inferior Court of Dale County, Alabama, and the person so appointed shall hold office until his successor is elected as provided herein."

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill, H. 18, as thus amended:

To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to abolish the County Court of Dale County and the Juvenile Court of Dale County and to provide for the transfer of all cases pending in these courts to the newly established court.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Downing
Adams	Bowers	Collins	Drake
Adwell	Brassell	Connell	Easters
Agee	Burgess	Coshatt	Edwards
Baker	Callahan	Cottingham	Ellis
Bank	Carnes	Crawford	Erdreich
Barkett	Carter	Cross	Falkenburg
Bassett	Casey	Crowe	Fite
Benton	Cauthen	Dill	Flippo
Boles	Cherner	Doss	Gafford

Gloor	Kinsey	Parker (H)	Straiton
Goodwin	Lang	Parker (T)	Stubbs
Grainger	Lutz	Perloff	Taylor
Gray (F)	McBride	Pruitt	Therrell
Grey (D)	McCluskey	Reed (T)	Timmons
Hale	McCorquodale	Reid (R)	Turner
Hardin	Manley	Reynolds	Turnham
Harris	Mathews	Roberts	Waggoner
Headley	May	Robertson	Waldrop
Hearn	Meeks	St. John	Wallace
Hill	Merrill	Slate	Warren
Hobbie	Mims	Smith (K)	Weeks
Jackson	Naramore	Smith (P)	Williams
Jones (E)	Nettles	Snell	Wise
Jones (F)	O'Daniel	Stewart	Wood
King	Owens	Stokes	Wynot

—104

And the bill:

H. 21. To set license fees paid to county barber commissions in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent Federal Decennial Census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 22. To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Albertville and

certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 23. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Barkett	Brassell	Cauthen
Adams	Bassett	Burgess	Cherner
Adwell	Benton	Callahan	Chesnut
Agee	Boles	Carnes	Collins
Baker	Boutwell	Carter	Connell
Bank	Bowers	Casey	Coshatt

Cottingham	Grey (D)	May	Smith (P)
Crawford	Hale	Meeks	Snell
Cross	Hardin	Merrill	Stewart
Crowe	Harris	Mims	Stokes
Dill	Headley	Naramore	Straiton
Doss	Hearn	Nettles	Stubbs
Downing	Hill	O'Daniel	Taylor
Drake	Hobbie	Owens	Therrell
Easters	Jackson	Parker (H)	Timmons
Edwards	Jones (E)	Parker (T)	Turner
Ellis	Jones (F)	Perloff	Turnham
Erdreich	King	Pruitt	Waggoner
Falkenburg	Kinsey	Reed (T)	Waldrop
Fite	Lang	Reid (R)	Wallace
Flippo	Lutz	Reynolds	Warren
Gafford	McBride	Roberts	Weeks
Gloor	McCluskey	Robertson	Williams
Goodwin	McCorquodale	St. John	Wise
Grainger	Manley	Slate	Wood
Gray (F)	Mathews	Smith (K)	Wynot

—104

And the bill:

H. 24. To set the salary of the clerk of the jury commission of any county having a population of not less than 38,100 nor more than 40,500, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 26. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 27. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; authorizing the judge of probate to appoint a probate court clerk; to define his duties; to direct the filing of a bond and provide for the compensation of such position.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Slate
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McCorquodale	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Gloor	May	Straiton
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Merrill	Taylor
Cherner	Gray (F)	Mims	Therrell
Chesnut	Grey (D)	Naramore	Timmons
Collins	Hale	Nettles	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Doss	Jones (E)	Reid (R)	Wise
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot

—104

And the bill:

H. 40. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	Nettles
Adams	Cottingham	Harris	O'Daniel
Adwell	Crawford	Headley	Owens
Agee	Cross	Hearn	Parker (H)
Baker	Crowe	Hill	Parker (T)
Bank	Dill	Hobbie	Perloff
Barkett	Doss	Jackson	Pruitt
Bassett	Downing	Jones (E)	Reed (T)
Benton	Drake	Jones (F)	Reid (R)
Boles	Easters	King	Reynolds
Boutwell	Edwards	Kinsey	Roberts
Bowers	Ellis	Lang	Robertson
Brassell	Erdreich	Lutz	St. John
Burgess	Falkenburg	McBride	Slate
Callahan	Fite	McCluskey	Smith (K)
Carnes	Flippo	McCorquodale	Smith (P)
Carter	Gafford	Manley	Snell
Casey	Gloor	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Cherner	Grainger	Meeks	Straiton
Chesnut	Gray (F)	Merrill	Stubbs
Collins	Grey (D)	Mims	Taylor
Connell	Hale	Naramore	Therrell

Timmons	Waggoner	Warren	Wise
Turner	Waldrop	Weeks	Wood
Turnham	Wallace	Williams	Wynot

—104

And the bill:

H. 41. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to authorize the county commission of any such county to provide a clerk hire allowance for the circuit clerk not to exceed $500 per month.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 44. To amend the title and Section 1 of Act No. 620, H. 795, Regular Session 1967 (Acts 1967, p. 1425) which provides for an expense allowance for the coroner of certain counties classified on a population basis; to make the provisions of this Act retroactive.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Slate
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McCorquodale	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Gloor	May	Straiton
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Merrill	Taylor
Cherner	Gray (F)	Mims	Therrell
Chesnut	Grey (D)	Naramore	Timmons
Collins	Hale	Nettles	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Doss	Jones (E)	Reid (R)	Wise
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot

—104

And the bill:

H. 53. Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission) by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Hobbie
Adams	Cauthen	Erdreich	Jackson
Adwell	Cherner	Falkenburg	Jones (E)
Agee	Chesnut	Fite	Jones (F)
Baker	Collins	Flippo	King
Bank	Connell	Gafford	Kinsey
Barkett	Coshatt	Gloor	Lang
Bassett	Cottingham	Goodwin	Lutz
Benton	Crawford	Grainger	McBride
Boles	Cross	Gray (F)	McCluskey
Boutwell	Crowe	Grey (D)	McCorquodale
Bowers	Dill	Hale	Manley
Brassell	Doss	Hardin	Mathews
Burgess	Downing	Harris	May
Callahan	Drake	Headley	Meeks
Carnes	Easters	Hearn	Merrill
Carter	Edwards	Hill	Mims

Naramore	Reid (R)	Stewart	Waggoner
Nettles	Reynolds	Stokes	Waldrop
O'Daniel	Roberts	Straiton	Wallace
Owens	Robertson	Stubbs	Warren
Parker (H)	St. John	Taylor	Weeks
Parker (T)	Slate	Therrell	Williams
Perloff	Smith (K)	Timmons	Wise
Pruitt	Smith (P)	Turner	Wood
Reed (T)	Snell	Turnham	Wynot

—104

And the bill:

H. 55. (With Amendment): To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 55 by adding after Section 2 thereof the following:

"Section 3. The action of the board in revoking or refusing to issue a license may be reviewed by the circuit court of the county in which the therapist or assistant therapist resides, accompanied by a bond to be approved by the court, to determine whether the board acted arbitrarily, capriciously, or illegally. The review procedure provided herein shall not suspend the action of the board in the revocation or refusal of a license.

Section 4. This act shall become effective immediately after its passage and approval by the Governor, or its otherwise becoming a law.

Section 5. All laws and parts of laws in conflict with this act insofar as the same conflict herewith are hereby expressly repealed."

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Headley
Adams	Casey	Edwards	Hearn
Adwell	Cauthen	Ellis	Hill
Agee	Cherner	Erdreich	Hobbie
Baker	Chesnut	Falkenburg	Jackson
Bank	Collins	Fite	Jones (E)
Barkett	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Gloor	Kinsey
Boles	Crawford	Goodwin	Lang
Boutwell	Cross	Grainger	Lutz
Bowers	Crowe	Gray (F)	McBride
Brassell	Dill	Grey (D)	McCluskey
Burgess	Doss	Hale	McCorquodale
Callahan	Downing	Hardin	Manley
Carnes	Drake	Harris	Mathews

May	Perloff	Smith (P)	Turnham
Meeks	Pruitt	Snell	Waggoner
Merrill	Reed (T)	Stewart	Waldrop
Mims	Reid (R)	Stokes	Wallace
Naramore	Reynolds	Straiton	Warren
Nettles	Roberts	Stubbs	Weeks
O'Daniel	Robertson	Taylor	Williams
Owens	St. John	Therrell	Wise
Parker (H)	Slate	Timmons	Wood
Parker (T)	Smith (K)	Turner	Wynot

—104

And the bill, H. 55, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 65. To amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equity and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Slate
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McCorquodale	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Gloor	May	Straiton
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Merrill	Taylor
Cherner	Gray (F)	Mims	Therrell
Chesnut	Grey (D)	Naramore	Timmons
Collins	Hale	Nettles	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Doss	Jones (E)	Reid (R)	Wise
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot

—104

And the bill:

H. 66. To apply in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Connell	Grey (D)	Merrill
Adams	Coshatt	Hale	Mims
Adwell	Cottingham	Hardin	Naramore
Agee	Crawford	Harris	Nettles
Baker	Cross	Headley	O'Daniel
Eank	Crowe	Hearn	Owens
Barkett	Dill	Hill	Parker (H)
Bassett	Doss	Hobbie	Parker (T)
Benton	Downing	Jackson	Perloff
Boles	Drake	Jones (E)	Pruitt
Boutwell	Easters	Jones (F)	Reed (T)
Bowers	Edwards	King	Reid (R)
Brassell	Ellis	Kinsey	Reynolds
Burgess	Erdreich	Lang	Roberts
Callahan	Falkenburg	Lutz	Robertson
Carnes	Fite	McBride	St. John
Carter	Flippo	McCluskey	Slate
Casey	Gafford	McCorquodale	Smith (K)
Cauthen	Gloor	Manley	Smith (P)
Cherner	Goodwin	Mathews	Snell
Chesnut	Grainger	May	Stewart
Collins	Gray (F)	Meeks	Stokes

Straiton	Timmons	Waldrop	Williams
Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Weeks	Wynot

—104

And the bill:

H. 67. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 68. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 69. To authorize those persons in Shelby County who have been designated agent by the Probate Judge of Shelby County for the sale of hunting and fishing licenses to charge a service fee of not more than twenty-five cents for each such license issued by them; said twenty-five cents to be in addition to all other issuance fees provided by law for the sale of such license.

Was taken up.

H. 69 POSTPONED

On motion of Mr. Stubbs, the bill, H. 69, was postponed to the Fourth Legislative Day.

And the bill:

H. 70. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 77. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Headley
Adams	Casey	Edwards	Hearn
Adwell	Cauthen	Ellis	Hill
Agee	Cherner	Erdreich	Hobbie
Baker	Chesnut	Falkenburg	Jackson
Bank	Collins	Fite	Jones (E)
Barkett	Connell	Flippo	Jones (F)
Bassett	Coshatt	Gafford	King
Benton	Cottingham	Gloor	Kinsey
Boles	Crawford	Goodwin	Lang
Boutwell	Cross	Grainger	Lutz
Bowers	Crowe	Gray (F)	McBride
Brassell	Dill	Grey (D)	McCluskey
Burgess	Doss	Hale	McCorquodale
Callahan	Downing	Hardin	Manley
Carnes	Drake	Harris	Mathews

May	Perloff	Smith (P)	Turnham
Meeks	Pruitt	Snell	Waggoner
Merrill	Reed (T)	Stewart	Waldrop
Mims	Reid (R)	Stokes	Wallace
Naramore	Reynolds	Straiton	Warren
Nettles	Roberts	Stubbs	Weeks
O'Daniel	Robertson	Taylor	Williams
Owens	St. John	Therrell	Wise
Parker (H)	Slate	Timmons	Wood
Parker (T)	Smith (K)	Turner	Wynot

—104

And the bill:

H. 79. (Wiht Amendment): To create the Court of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Strike out Section 3 (a) of House Bill No. 79 and insert in lieu thereof the following:

"Section 3. The Governor of the State of Alabama shall appoint a Judge to serve as Judge of said Court until the next general election to be held in 1972; his interim term shall begin immediately after his appointment by the Governor and he takes his oath of office. A Judge as said Court shall be elected by the qualified electors of Pickens County, at the general election to be held in 1972, and each four years thereafter, and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of four years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Courts of Alabama. The said Judge shall be a domiciled resident and a qualified elector of Pickens County, Alabama, shall be learned in the law, and shall be a member in good standing of the Alabama State Bar. Said Judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State."

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Collins
Adams	Benton	Carnes	Connell
Adwell	Boles	Carter	Coshatt
Agee	Boutwell	Casey	Cottingham
Baker	Bowers	Cauthen	Crawford
Bank	Brassell	Cherner	Cross
Barkett	Burgess	Chesnut	Crowe

Dill	Harris	Merrill	Snell
Doss	Headley	Mims	Stewart
Downing	Hearn	Naramore	Stokes
Drake	Hill	Nettles	Straiton
Easters	Hobbie	O'Daniel	Stubbs
Edwards	Jackson	Owens	Taylor
Ellis	Jones (E)	Parker (H)	Therrell
Erdreich	Jones (F)	Parker (T)	Timmons
Falkenburg	King	Perloff	Turner
Fite	Kinsey	Pruitt	Turnham
Flippo	Lang	Reed (T)	Waggoner
Gafford	Lutz	Reid (R)	Waldrop
Gloor	McBride	Reynolds	Wallace
Goodwin	McCluskey	Roberts	Warren
Grainger	McCorquodale	Robertson	Weeks
Gray (F)	Manley	St. John	Williams
Grey (D)	Mathews	Slate	Wise
Hale	May	Smith (K)	Wood
Hardin	Meeks	Smith (P)	Wynot

—104

And the bill, H. 79, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 83. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

CO-SPONSORS ADDED

Unanimous consent was granted Messrs. Bank and Parker (T) for their names to be added as co-sponsors to the bill, H. 83.

And the bill:

H. 84. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Slate
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	McCorquodale	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	Mathews	Stokes
Carter	Gloor	May	Straiton
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Merrill	Taylor
Cherner	Gray (F)	Mims	Therrell
Chesnut	Grey (D)	Naramore	Timmons
Collins	Hale	Nettles	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Doss	Jones (E)	Reid (R)	Wise
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot

—104

CO-SPONSORS ADDED

Unanimous consent was granted Messrs. Bank and Parker (T) for their names to be added as co-sponsors to the bill, H. 84.

And the bill:

H. 85. Relating to counties having a population of not less than 115,000 nor more than 150,000; to provide that the county Board of Education shall provide liability insurance coverage for any vehicle owned by them or operated under their jurisdiction and control.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Hobbie
Adams	Cauthen	Erdreich	Jackson
Adwell	Cherner	Falkenburg	Jones (E)
Agee	Chesnut	Fite	Jones (F)
Baker	Collins	Flippo	King
Bank	Connell	Gafford	Kinsey
Barkett	Coshatt	Gloor	Lang
Bassett	Cottingham	Goodwin	Lutz
Benton	Crawford	Grainger	McBride
Boles	Cross	Gray (F)	McCluskey
Boutwell	Crowe	Grey (D)	McCorquodale
Bowers	Dill	Hale	Manley
Brassell	Doss	Hardin	Mathews
Burgess	Downing	Harris	May
Callahan	Drake	Headley	Meeks
Carnes	Easters	Hearn	Merrill
Carter	Edwards	Hill	Mims

Naramore	Reid (R)	Stewart	Waggoner
Nettles	Reynolds	Stokes	Waldrop
O'Daniel	Roberts	Straiton	Wallace
Owens	Robertson	Stubbs	Warren
Parker (H)	St. John	Taylor	Weeks
Parker (T)	Slate	Therrell	Williams
Perloff	Smith (K)	Timmons	Wise
Pruitt	Smith (P)	Turner	Wood
Reed (T)	Snell	Turnham	Wynot

—104

CO-SPONSORS ADDED

Unanimous consent was granted Mr. Bank for his name to be added as co-sponsor to the bill, H. 85.

And the bill:

H. 29. To authorize the governing body of Jefferson County, Alabama, to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 30. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of three (3) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 31. To amend Section 139 of Title 13 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, administrations of estates may be transferred to the Circuit Court only by order of the judge of probate upon the petition of a party in interest showing the need for such transfer.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 7.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Edwards	McCluskey	Slate
Boles	Fite	McCorquodale	Smith (K)
Bowers	Flippo	Manley	Smith (P)
Brassell	Gafford	Mathews	Snell
Burgess	Goodwin	May	Stewart
Callahan	Grainger	Meeks	Stokes
Carnes	Gray (F)	Merrill	Straiton
Carter	Grey (D)	Mims	Stubbs
Casey	Hale	Naramore	Taylor
Cauthen	Hardin	Nettles	Therrell
Cherner	Harris	O'Daniel	Timmons
Chesnut	Headley	Owens	Turner
Collins	Hearn	Parker (H)	Turnham
Connell	Hill	Parker (T)	Waggoner
Coshatt	Hobbie	Perloff	Waldrop
Cottingham	Jackson	Pruitt	Wallace
Crawford	Jones (F)	Reed (T)	Warren
Cross	King	Reid (R)	Weeks
Crowe	Kinsey	Reynolds	Williams
Dill	Lang	Roberts	Wise
Downing	Lutz	Robertson	Wood
Drake	McBride	St. John	Wynot
Easters			—97

Nays:

Messrs.:	Falkenburg	Erdreich	Boutwell
Gloor	Doss	Ellis	Jones (E)
			—7

And the bill:

H. 32. To amend Section 26 of Title 21 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, guardianships may be transferred to the Circuit Court only by order of the Judge of Probate upon the petition of a party in interest showing the need for such transfer.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 7.

Yeas:

Mr. Speaker	Casey	Fite	King
Adams	Cauthen	Flippo	Kinsey
Adwell	Cherner	Gafford	Lang
Agee	Chesnut	Goodwin	Lutz
Baker	Collins	Grainger	McBride
Bank	Connell	Gray (F)	McCluskey
Barkett	Coshatt	Grey (D)	McCorquodale
Bassett	Cottingham	Hale	Manley
Benton	Crawford	Hardin	Mathews
Boles	Cross	Harris	May
Bowers	Crowe	Headley	Meeks
Brassell	Dill	Hearn	Merrill
Burgess	Downing	Hill	Mims
Callahan	Drake	Hobbie	Naramore
Carnes	Easters	Jackson	Nettles
Carter	Edwards	Jones (F)	O'Daniel

Owens	Robertson	Straiton	Waldrop
Parker (H)	St. John	Stubbs	Wallace
Parker (T)	Slate	Taylor	Warren
Perloff	Smith (K)	Therrell	Weeks
Pruitt	Smith (P)	Timmons	Williams
Reed (T)	Snell	Turner	Wise
Reid (R)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—97

Nays:

Messrs.:	Falkenburg	Erdreich	Boutwell
Gloor	Doss	Ellis	Jones (E)

—7

And the bill:

H. 33. To amend Section 17 of Act No. 497 of the 1965 Regular Session of the Legislature, as amended, by providing for the purposes of this Act, supernumerary judges shall be considered as retired employees and shall be entitled to earned benefits as provided for in this Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 34. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more accord-

ing to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 37. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Downing
Adams	Bowers	Collins	Drake
Adwell	Brassell	Connell	Easters
Agee	Burgess	Coshatt	Edwards
Baker	Callahan	Cottingham	Ellis
Bank	Carnes	Crawford	Erdreich
Barkett	Carter	Cross	Falkenburg
Bassett	Casey	Crowe	Fite
Benton	Cauthen	Dill	Flippo
Boles	Cherner	Doss	Gafford

Gloor	Kinsey	Parker (H)	Straiton
Goodwin	Lang	Parker (T)	Stubbs
Grainger	Lutz	Perloff	Taylor
Gray (F)	McBride	Pruitt	Therrell
Grey (D)	McCluskey	Reed (T)	Timmons
Hale	McCorquodale	Reid (R)	Turner
Hardin	Manley	Reynolds	Turnham
Harris	Mathews	Roberts	Waggoner
Headley	May	Robertson	Waldrop
Hearn	Meeks	St. John	Wallace
Hill	Merrill	Slate	Warren
Hobbie	Mims	Smith (K)	Weeks
Jackson	Naramore	Smith (P)	Williams
Jones (E)	Nettles	Snell	Wise
Jones (F)	O'Daniel	Stewart	Wood
King	Owens	Stokes	Wynot

—104

And the bill:

H. 39. To authorize the governing body of any county to pay the expenses of canvassing votes cast in any primary election held in such county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 81. To amend Act No. 971 enacted at the 1971 Regular Session of the Legislature of Alabama, entitled "An Act to authorize any county having

a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy or collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required", so as to amend the title of said Act, to expand the definition of Off-street Parking Facilities to include offices, a cafeteria or other food service facilities and passage ways or crosswalks to connect such facilities with the courthouse; to amend Section 2 of said Act to make additional legislative findings; and to amend Section 3 of said Act so as to identify more specifically the permissible location of such off-street parking facilities, and provide for the leasing of any part of such facilities.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Connell	Grey (D)	Merrill
Adams	Coshatt	Hale	Mims
Adwell	Cottingham	Hardin	Naramore
Agee	Crawford	Harris	Nettles
Baker	Cross	Headley	O'Daniel
Bank	Crowe	Hearn	Owens
Barkett	Dill	Hill	Parker (H)
Bassett	Doss	Hobbie	Parker (T)
Benton	Downing	Jackson	Perloff
Boles	Drake	Jones (E)	Pruitt
Boutwell	Easters	Jones (F)	Reed (T)
Bowers	Edwards	King	Reid (R)
Brassell	Ellis	Kinsey	Reynolds
Burgess	Erdreich	Lang	Roberts
Callahan	Falkenburg	Lutz	Robertson
Carnes	Fite	McBride	St. John
Carter	Flippo	McCluskey	Slate
Casey	Gafford	McCorquodale	Smith (K)
Cauthen	Gloor	Manley	Smith (P)
Cherner	Goodwin	Mathews	Snell
Chesnut	Grainger	May	Stewart
Collins	Gray (F)	Meeks	Stokes

Straiton	Timmons	Waldrop	Williams
Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Weeks	Wynot

—104

And the bill:

H. 82. To authorize and direct the State of Alabama to pay from the revenue received from the State Sales and Use Tax and into the General Fund of each County which has a population in excess of five hundred thousand (500,000) according to the last or any subsequent federal census, an amount equal to two percent (2%) of the face value of the food stamps issued in each such County under the United States Food Stamp Program.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 60. (With Amendment): To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

Was taken up.

The question, then, was on the adoption of the amendment reported by

the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend House Bill 60 in Section 1 by striking the first paragraph in its entirety and inserting in lieu thereof the following:

"Section 1. In any county having a population of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census, any local governmental agency, county or city, funded by any State, local or Federal funds given to the local agency, must publish the names and amounts paid to all persons for professional services rendered to said agency located in said county."

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill, H. 60, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cottingham
Adams	Boles	Casey	Crawford
Adwell	Boutwell	Cauthen	Cross
Agee	Bowers	Cherner	Crowe
Baker	Brassell	Chesnut	Dill
Bank	Burgess	Collins	Doss
Barkett	Callahan	Connell	Downing
Bassett	Carnes	Coshatt	Drake

Easters	Hill	Naramore	Stewart
Edwards	Hobbie	Nettles	Stokes
Ellis	Jackson	O'Daniel	Straiton
Erdreich	Jones (E)	Owens	Stubbs
Falkenburg	Jones (F)	Parker (H)	Taylor
Fite	King	Parker (T)	Therrell
Flippo	Kinsey	Perloff	Timmons
Gafford	Lang	Pruitt	Turner
Gloor	Lutz	Reed (T)	Turnham
Goodwin	McBride	Reid (R)	Waggoner
Grainger	McCluskey	Reynolds	Waldrop
Gray (F)	McCorquodale	Roberts	Wallace
Grey (D)	Manley	Robertson	Warren
Hale	Mathews	St. John	Weeks
Hardin	May	Slate	Williams
Harris	Meeks	Smith (K)	Wise
Headley	Merrill	Smith (P)	Wood
Hearn	Mims	Snell	Wynot

—104

And the bill:

H. 72. (With Amendment): To provide that the city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Delete Section 1 of H.B. 72 in its entirety and substitute in lieu thereof the following:

"Section 1. The city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall upon the written recommendation of the city superintendent of education, determine and establish a written educational policy for the city and shall prescribe rules and regulations for the conduct and management of the schools. Before making his written recommendations to the city board, the city superintendent shall consult with his professional assistants, principals, teachers, and the professional organization representing the majority of the certified employees. The city board must, on or before March 1, 1972, establish such policies and adopt such rules and regulations and file them with the city superintendent of education by March 15, 1972. Such written policies, rules and regulations, so established, adopted, or promulgated shall be made available on or before March 15, 1972, to all teachers employed by the city board. Any subsequent amendments to such policies, rules and regulations shall be adopted in the same manner and subject to the same recommendations and shall be filed with the city superintendent and furnished to the teachers employed by the local board within ten (10) days after adoption therefor."

And the amendment was adopted.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill, H. 72, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	Nettles
Adams	Cottingham	Harris	O'Daniel
Adwell	Crawford	Headley	Owens
Agee	Cross	Hearn	Parker (H)
Baker	Crowe	Hill	Parker (T)
Bank	Dill	Hobbie	Perloff
Barkett	Doss	Jackson	Pruitt
Bassett	Downing	Jones (E)	Reed (T)
Benton	Drake	Jones (F)	Reid (R)
Boles	Easters	King	Reynolds
Boutwell	Edwards	Kinsey	Roberts
Bowers	Ellis	Lang	Robertson
Brassell	Erdreich	Lutz	St. John
Burgess	Falkenburg	McBride	Slate
Callahan	Fite	McCluskey	Smith (K)
Carnes	Flippo	McCorquodale	Smith (P)
Carter	Gafford	Manley	Snell
Casey	Gloor	Mathews	Stewart
Cauthen	Goodwin	May	Stokes
Cherner	Grainger	Meeks	Straiton
Chesnut	Gray (F)	Merrill	Stubbs
Collins	Grey (D)	Mims	Taylor
Connell	Hale	Naramore	Therrell

Timmons	Waggoner	Warren	Wise
Turner	Waldrop	Weeks	Wood
Turnham	Wallace	Williams	Wynot

—104

And the bill:

H. 74. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters; to provide that the provisions of this Act shall be retroactive.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 75. To amend Section 1 of Act No. 796, H. 1033, of the 1971 Regular Session of the Legislature, approved September 7, 1971, which said act provides for the election by popular vote of the City Board of Education in municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent Federal Decennial Census so as to provide that the terms of the members first elected to Boards of Education under the provisions of said act will be staggered.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

—104

And the bill:

H. 76. To amend Section 4 of Act No. 1738, H. 2575, 1971 Regular Session, approved September 17, 1971 entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership," so as to provide that employees of officials of state supported institutions of higher learning may serve on the commission established by this Act; giving the provisions of this amendment retroactive effect.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 104; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cottingham
Adams	Boles	Casey	Crawford
Adwell	Boutwell	Cauthen	Cross
Agee	Bowers	Cherner	Crowe
Baker	Brassell	Chesnut	Dill
Bank	Burgess	Collins	Doss
Barkett	Callahan	Connell	Downing
Bassett	Carnes	Coshatt	Drake

Easters	Hill	Naramore	Stewart
Edwards	Hobbie	Nettles	Stokes
Ellis	Jackson	O'Daniel	Straiton
Erdreich	Jones (E)	Owens	Stubbs
Falkenburg	Jones (F)	Parker (H)	Taylor
Fite	King	Parker (T)	Therrell
Flippo	Kinsey	Perloff	Timmons
Gafford	Lang	Pruitt	Turner
Gloor	Lutz	Reed (T)	Turnham
Goodwin	McBride	Reid (R)	Waggoner
Grainger	McCluskey	Reynolds	Waldrop
Gray (F)	McCorquodale	Roberts	Wallace
Grey (D)	Manley	Robertson	Warren
Hale	Mathews	St. John	Weeks
Hardin	May	Slate	Williams
Harris	Meeks	Smith (K)	Wise
Headley	Merrill	Smith (P)	Wood
Hearn	Mims	Snell	Wynot

—104

And the bill:

H. 38. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 6.

Yeas:

Messrs.:	Coshatt	Gray (F)	Robertson
Barkett	Crawford	Hardin	Slate
Bassett	Crowe	Harris	Straiton
Benton	Dill	Headley	Stubbs
Brassell	Doss	Hill	Therrell
Callahan	Drake	Hobbie	Timmons
Carnes	Easters	Jones (F)	Wallace
Cauthen	Erdreich	Parker (H)	Weeks
Cherner	Falkenburg	Perloff	Wise
Collins	Flippo	Reynolds	Wood
Connell	Gloor	Roberts	Wynot

—43

Nays:

Messrs.:	Boles	Ellis	Meeks
Adwell	Boutwell	Jones (E)	

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 48. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 14.

Yeas:

Messrs.:	Coshatt	Hill	Perloff
Adams	Dill	Hobbie	Reed (T)
Agee	Downing	King	Roberts
Bank	Erdreich	Lutz	Stokes
Barkett	Falkenburg	McBride	Timmons
Boutwell	Flippo	Manley	Waldrop
Brassell	Gray (F)	Meeks	Weeks
Carnes	Harris	Parker (H)	Wood
Cherner	Headley	Parker (T)	Wynot

—35

Nays:

Mr. Speaker	Crawford	Jackson	Slate
Bassett	Cross	Kinsey	Turner
Carter	Doss	Pruitt	Turnham
Connell	Drake		

—14

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was taken up.

Mr. Cauthen offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations here in made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for

anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1972, and September 30, 1973, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount ot be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature for the fiscal year ending September 30, 1972	$1,750,000.00
For the fiscal year ending September 30, 1973	2,000,000.00
(2) For the printing of Legislative Acts and Journals:	
For the fiscal year ending September 30, 1972, estimated	150,000.00
For the fiscal year ending September 30, 1973, estimated	50,000.00

(3)	For Legislative Council expenses		25,000.00
(4)	LEGISLATIVE REFERENCE SERVICE:		
	For the fiscal year ending September 30, 1972:		
	For salary of the Director	20,000.00	
	For other salaries	115,500.00	
	For other expenses	9,000.00	
	For equipment purchases	2,500.00	
	For automotive equipment purchases	3,500.00	
	Total		150,500.00
	For the fiscal year ending September 30, 1973:		
	For salary of the Director	20,000.00	
	For other salaries	105,000.00	
	For other expenses	8,000.00	
	For equipment purchases	1,000.00	
	Total		134,000.00
	Commission on Intergovernmental Cooperation:		
	For salaries	1,890.00	
	For other expenses	3,200.00	
	Total		5,090.00
	Code Revision:		
	For salaries and expenses, Estimated		10,000.00
(5)	DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:		
	For the fiscal year ending September 30, 1972:		
	For the salary of the Chief Examiner	19,800.00	
	For the salary of the Assistant Chief Examiner	18,800.00	
	For other salaries	1,207,500.00	
	For other expenses	325,000.00	
	For equipment purchases	4,000.00	
	For automotive equipment purchases	4,000.00	
	Total		1,579,100.00
	For fiscal year ending September 30, 1973:		
	For the salary of the Chief Examiner	19,800.00	
	For the salary of the Assistant Chief Examiner	18,800.00	
	For other salaries	1,181,250.00	

For other expenses	325,000.00	
For equipment purchases	4,000.00	
Total		1,548,850.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the fiscal year ending September 30, 1972:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of the Clerk of the Court, Estimated	19,561.50	
For the salary of the Court Reporter, Estimated	17,860.50	
For salaries of the Law Clerks, Estimated	75,600.00	
For other salaries	278,780.00	
For other expenses	23,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	5,000.00	
For a Consultant Study (to match Federal Funds)	1,500.00	
For Judicial Conference	7,500.00	
For Judicial Education	2,500.00	
Total		641,602.00
For the fiscal year ending September 30, 1973:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of the Clerk of the Court, Estimated	18,837.00	
For the salary of the Court Reporter, Estimated	17,199.00	
For salaries of Law Clerks Estimated	75,600.00	
For other salaries	268,342.00	
For other expenses	23,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	5,000.00	
For a consultant study (to match Federal Funds)	1,500.00	
For a Judicial Conference	7,500.00	
For Judicial Education	2,500.00	
Total		629,778.00
For the Supreme Court Library Fund		50,000.00

(2) COURT OF CRIMINAL APPEALS:

For the fiscal year ending September 30, 1972:		
For salaries of the three Judges	66,000.00	
For other salaries	115,664.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For Printing Appelate Court Reports, Estimated	6,000.00	
Total		196,664.00
For the fiscal year ending September 30, 1973:		
For salaries of the three Judges	66,000.00	
For other salaries	112,360.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For Printing Appelate Court Reports, Estimated	6,000.00	
Total		193,360.00
(3) COURT OF CIVIL APPEALS:		
For the fiscal year ending September 30, 1972:		
For salaries of three Judges	66,000.00	
For other salaries	87,144.00	
For other expenses	10,000.00	
For equipment and book purchases	1,000.00	
For printing Appelate Court Reports, Estimated	4,500.00	
Total		168,644.00
For the fiscal year ending September 30, 1973:		
For salaries of three Judges	66,000.00	
For other salaries	84,896.00	
For other expenses	10,000.00	
For equipment and book purchases	1,000.00	
For printing Appelate Court Reports, Estimated	4,500.00	
Total		166,396.00
(4) THE CIRCUIT COURTS:		
For the salaries of the judges of the Circuit Courts, estimated		1,530,000.00
For travel expenses of circuit judges, estimated		17,500.00
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session		9,000.00

For telephone service, stationery, stamps, and necessary office supplies for the office use of circuit judges (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)		30,000.00
For the salaries and travel expenses of special judges, estimated		13,500.00
For salaries of District Attorneys, Estimated	675,000.00	
For salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	8,500.00	
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; $4,000.00 each	20,000.00	
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	17,000.00	
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00	
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00	
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00	
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit, Estimated	35,800.00	

For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	13,200.00	
For the salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	16,800.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the travel expenses of District Attorneys, estimated	18,000.00	
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps, and necessary office supplies for the office use of District Attorneys, deputy District Attorneys or Assistants	30,000.00	
(Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)		
For the salaries of Public Defenders as provided by Act No. 1158, 1969 Regular Session	17,000.00	
Total		905,550.00
For salary of supernumerary District Attorneys, estimated		78,400.00
For expenses of supernumerary District Attorneys, estimated		2,600.00
(5) COURT REPORTERS:		
For the compensation of the circuit court reporters, estimated		350,000.00
For the compensation of the supernumerary circuit court reporters, estimated		70,000.00
(6) SUPERNUMERARY JUDGES:		
For salaries of supernumerary judges and justices, estimated		120,000.00
For expenses of supernumerary judges and justices, estimated		5,000.00

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For the fiscal year ending September 30, 1972:		
For salary of the Governor	25,000.00	
For salary of the Executive Secretary	19,800.00	
For salary of the Legal Advisor	19,800.00	
For salary of the Press Secretary	19,800.00	
For salary of the Confidential Assistant	19,800.00	
For other salaries	109,997.00	
For other expenses	89,500.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	7,500.00	
Total		316,197.00
For the fiscal year ending September 30, 1973:		
For the salary of the Governor	25,000.00	
For the salary of the Executive Secretary	19,800.00	
For the salary of the Legal Advisor	19,800.00	
For the salary of the Press Secretary	19,800.00	
For the salary of the Confidential Assistant	19,800.00	
For other salaries	109,997.00	
For other expenses	90,000.00	
For printing of Governor's State Budget, estimated	20,000.00	
For equipment purchases	3,000.00	
For automotive equipment purchases	7,500.00	
Total		334,697.00
(2) For the Governor's Emergency Fund, to be expended at the direction of the Governor		45,000.00
For the Governor's Controlled Contingency Fund		45,000.00
For Governor's Office—Consumer Agency,		

For salaries, other expenses, and equipment purchases		150,000.00
(3) For the Mansion Fund		25,000.00
For the Governor's Mansion at Gulf Shores		5,000.00
(4) STATE BOARD OF ADJUSTMENT:		
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of $200,000 pursuant to Title 55, Section 343		15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208 Special Session 1966 and Act 436 Regular Session 1967, estimated		100,000.00
(5) COMMISSION ON AGING:		
For transfer to the Commission on Aging		52,500.00
(6) DEPARTMENT OF ARCHIVES AND HISTORY:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	16,800.00	
For other salaries	152,515.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For expenses of printing of the Alabama Historical Quarterly	7,000.00	
For printing Statistical Register	7,000.00	
Total		215,315.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	16,800.00	
For other salaries	141,750.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For Printing Historical Quarterly	7,000.00	
Total		197,550.00

(7) ALABAMA COUNCIL ON THE ARTS:		
For transfer to the Council on the Arts		125,000.00
(8) OFFICE OF THE ATTORNEY GENERAL:		
For the fiscal year ending September 30, 1972:		
For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, Estimated	19,561.50	
For other salaries	556,500.00	
For other expenses	119,438.50	
For equipment purchases	2,000.00	
For automotive equipment purchases	15,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		766,500.00
For the fiscal year ending September 30, 1973:		
For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, Estimated	18,837.00	
For other salaries	556,500.00	
For other expenses	120,163.00	
For equipment purchases	2,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		751,500.00
(9) OFFICE OF THE STATE AUDITOR:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Auditor	20,000.00	
For other salaries	120,290.00	
For other expenses	4,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		148,790.00

For fiscal year ending September 30, 1973:		
For salary of the State Auditor	20,000.00	
For other salaries	121,797.00	
For other expenses	4,000.00	
For equipment purchases	1,000.00	
Total		146,797.00
(10) OFFICE OF THE STATE AUDITOR—PROPERTY INVENTORY:		
For the fiscal year ending September 30, 1972:		
For salaries	31,779.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,279.00
For the fiscal year ending September 30, 1973:		
For salaries	31,626.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,126.00
(11) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972		118,888.00
For the fiscal year ending September 30, 1973		151,175.00
(12) BANKING DEPARTMENT—BUREAU OF LOANS:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972		55,014.00
For the fiscal year ending September 30, 1973		61,475.00
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:		
For salaries	3,780.00	
For other expenses	1,400.00	
Total		5,180.00
(13) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		125,000.00

(15) CAHABA HISTORICAL COMMISSION:		
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total		6,000.00
(16) DEPARTMENT OF CIVIL DEFENSE:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	16,200.00	
For other salaries	107,100.00	
For other expenses	38,500.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		166,300.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	16,200.00	
For other salaries	94,500.00	
For other expenses	38,500.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		153,200.00
(17) ALABAMA DEVELOPMENT OFFICE:		
For transfer to Alabama Development Office for operations:		
For the fiscal year ending September 30, 1972		1,282,307.73
For the fiscal year ending September 30, 1973		1,109,300.00
(18) STATE EMPLOYEES INSURANCE BOARD:		
For the fiscal year ending September 30, 1972:		
For salaries	31,323.00	
For other expenses	5,500.00	
For equipment purchases	250.00	
Total		37,073.00
For the fiscal year ending September 30, 1973:		
For salaries	31,101.00	
For other expenses	5,500.00	
For equipment purchases	250.00	
Total		36,851.00

(19) FARMERS MARKET AUTHORITY:		
For transfer to the Farmers Market Authority for the operation of the Farmers Market Authority:		
For the fiscal year ending September 30, 1972		49,725.00
For the fiscal year ending September 30, 1973		45,353.00
(20) DEPARTMENT OF FINANCE:		
(a) Director's Office:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	19,800.00	
For salary of the Assistant Director	18,800.00	
For other salaries	29,612.00	
For other expenses	7,000.00	
Total		75,212.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For the salary of the Assistant Director	18,800.00	
For other salaries	28,515.00	
For other expenses	7,000.00	
Total		74,115.00
(b) Division of the Budget:		
For the fiscal year ending September 30, 1972:		
For salary of the Budget Officer	17,500.00	
For other salaries	69,571.00	
For other expenses	5,500.00	
For equipment purchases	500.00	
Total		93,071.00
For the fiscal year ending September 30, 1973:		
For salary of the Budget Officer	17,500.00	
For other salaries	66,995.00	
For other expenses	6,500.00	
For equipment purchases	500.00	
Total		91,495.00

(c) Division of Control and Accounts:		
For the fiscal year ending September 30, 1972:		
For salary of the State Comptroller, Estimated	17,860.00	
For other salaries	278,190.00	
For other expenses	142,450.00	
For equipment purchases	5,000.00	
Total		443,500.00
For the fiscal year ending September 30, 1973:		
For salary of the State Comptroller, Estimated	17,199.00	
For other salaries	269,755.00	
For other expenses	149,000.00	
For equipment purchases	5,000.00	
Total		440,954.00
(d) Legal Division:		
For the fiscal year ending September 30, 1972:		
For salary of the Chief of the Division, Estimated	17,847.00	
For other salaries	17,577.00	
For other expenses	6,000.00	
For equipment purchases	750.00	
Total		42,174.00
For the fiscal year ending September 30, 1973:		
For salary of the Chief of the Division, Estimated	17,199.00	
For other salaries	16,926.00	
For other expenses	6,000.00	
For equipment purchases	450.00	
Total		40,575.00
(e) For Computer Consolidation and Copy Center Operation		10,000.00
(f) Division of Purchases and Stores:		
For the fiscal year ending September 30, 1972:		
For salaries	214,365.00	
For other expenses	22,500.00	
For equipment purchases	5,000.00	
Total		241,865.00
For the fiscal year ending September 30, 1973:		
For salaries	211,136.00	

For other expenses	22,500.00	
For equipment purchases	2,000.00	
Total		235,636.00
(g) Division of Service:		
For the fiscal year ending September 30, 1972:		
For salaries	630,000.00	
For other expenses	255,000.00	
For equipment purchases	7,000.00	
For automotive equipment purchases	3,500.00	
Total		895,500.00
For the fiscal year ending September 30, 1973:		
For salaries	603,750.00	
For other expenses	225,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	4,000.00	
Total		837,750.00
(h) For equipment purchases in the State Offices for the Executive, Administrative and Judicial Department		10,000.00
(21) GORGAS MEMORIAL BOARD:		
To provide for the appropriation authorized by Act No. 417, 1943, Acts, page 383, and an additional amount—Total		9,500.00
(22) HALL OF FAME BOARD:		
For payment of expenses of the Board		750.00
(23) DEPARTMENT OF HEALTH:		
(a) For Air Pollution Commission:		
For salaries, other expenses, equipment purchases and automotive equipment purchases:		
For the fiscal year ending September 30, 1972		219,800.00
For the fiscal year ending September 30, 1973 (To be expended in accordance with Act No. 1135, 1969 Regular Session)		218,200.00

(b) For study, care and treatment of cancer	140,000.00
(c) For County Health Work: For transfer to the County Health Work Account	425,000.00
(d) For Dental Program: For salaries, other expenses and county clinics: For the fiscal year ending September 30, 1972	97,571.00
For the fiscal year ending September 30, 1973	96,498.00
(e) For General Health: For salaries, other expenses and equipment purchases (This appropriation includes the operations of the Branch Laboratories in Birmingham and Mobile.)	1,305,000.00
(f) For Health Facilities Construction: For salaries and other expenses: For the fiscal year ending September 30, 1972	43,753.00
For the fiscal year ending September 30, 1973	43,333.00
(g) For Hospital Care of the Indigent: For transfer to the Hospital Care of the Indigent Account	200,000.00
(h) Hospital Licensing: For transfer to the Hospital Licensing Account	21,500.00
(i) Medicaid: For transfer to Medicaid Account	22,000,000.00
(j) For Preventable Diseases: For the purchase of vaccines and drugs	75,000.00
(k) For Radiation Control: For salaries, other expenses and equipment purchases	71,500.00
(l) For Tuberculosis Testing: For salaries, other expenses, equipment purchases, and for clinician and radiologist fees	154,300.00

(m) For Tuberculosis and Chronic Lung Disorders Treatment:
For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State and for administrative cost not to exceed $276.00 per licensed bed as provided in Act No. 272, 1966 Special Session. Provided, however, that not more than 5% of this appropriation may be used for the treatment of disease other than tuberculosis:
For the fiscal year ending September 30, 1972 ..... 3,105,687.00
For the fiscal year ending September 30, 1973 ..... 3,097,531.00

(n) For Venereal Disease Control:
For salaries and other expenses 77,600.00

(o) Water Improvement Commission:
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts for stream studies:
For fiscal year ending September 30, 1972 ..... 231,921.00
For fiscal year ending September 30, 1973 ..... 233,919.00

(24) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:

For transfer to Office of Highway and Traffic Safety 75,000.00

(25) ALABAMA HISTORICAL COMMISSION:

For transfer to Alabama Historical Commission for operations 78,150.00

(26) RICHMOND PEARSON HOBSON MEMORIAL BOARD:

To provide the appropriation authorized by Act No. 536,

1943 Acts, page 510 and an additional amount—Total		9,500.00
(27) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For the fiscal year ending September 30, 1972:		
For salaries	304,500.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	7,000.00	
Total		373,500.00
For the fiscal year ending September 30, 1973:		
For salaries	288,750.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		353,250.00
(28) DEPARTMENT OF INSURANCE:		
For the fiscal year ending September 30, 1972:		
For salary of the Director	19,000.00	
For other salaries	352,800.00	
For other expenses	110,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,700.00	
Total		486,500.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	19,000.00	
For other salaries	336,000.00	
For other expenses	110,000.00	
For equipment purchases	1,000.00	
Total		466,000.00
(29) STATE LABOR DEPARTMENT:		
For the fiscal year ending September 30, 1972:		
For salary of the Director	19,000.00	
For other salaries	89,250.00	
For other expenses	25,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	4,500.00	
Total		138,750.00

For the fiscal year ending September 30, 1973:		
For salary of the Director	19,000.00	
For other salaries	84,000.00	
For other expenses	25,000.00	
Total		128,000.00
(30) LAGRANGE HISTORICAL COMMISSION:		
To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, Page 540		2,000.00
(31) LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum:		
For the fiscal year ending September 30, 1972		53,300.00
For the fiscal year ending September 30, 1973		56,470.00
(32) PUBLIC LIBRARY SERVICE DIVISION:		
(a) For salaries	78,750.00	
For other expenses	25,000.00	
For Books & Periodicals	96,000.00	
For State aid to county units	47,500.00	
Total		247,250.00
(b) For transfer to Alabama Public Library Service Federal Account — Title II		7,000.00
(33) MILITARY DEPARTMENT:		
(a) For operation of the Department:		
For the fiscal year ending September 30, 1972:		
For salary of the Adjutant General	19,800.00	
For other salaries	446,250.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		574,550.00
For the fiscal year ending September 30, 1973:		

For the salary of the Adjutant General	19,800.00	
For other salaries	420,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		548,300.00
(b) For quarterly Allowances Provided that not more than $5,000.00 may be alloted in any fiscal year for the Headquarters, Alabama National Guard, and not more than $1,500.00 may be alloted in any fiscal year for the Division Headquarters.		298,000.00
(c) For Active Military Service —Active National Guard		72,000.00
(d) For transfer to the Armory Commission — For care and maintenance of armories		712,500.00
(34) UNIVERSITY OF ALABAMA—MUSEUM FUND:		
For operation and maintenance		68,000.00
(35) DEPARTMENT OF PENSIONS AND SECURITY:		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
(36) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department.		
For the fiscal year ending September 30, 1972		71,400.00
For the fiscal year ending September 30, 1973		71,905.00
(37) COMMISSION ON PHYSICAL FITNESS:		
For the fiscal year ending September 30, 1972:		

For salaries	40,727.00	
For other expenses	10,600.00	
For equipment purchases	800.00	
For automotive equipment purchases	3,500.00	
Total		55,627.00
For the fiscal year ending September 30, 1973:		
For salaries	37,737.00	
For other expenses	10,600.00	
Total		48,337.00
(38) COMMISSION TO PRESERVE THE PEACE:		
For salaries	25,515.00	
For other expenses	20,000.00	
For equipment purchases	500.00	
Total		46,015.00
(39) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operations		1,600.00
(40) BUREAU OF PUBLICITY AND INFORMATION:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	3,000.00	
For automotive equipment purchases	10,150.00	
For Ava Marie Grotto	2,500.00	
For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		187,900.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	1,000.00	
For Ava Maria Grotto	2,500.00	

For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		175,750.00
(41) DEPARTMENT OF PUBLIC SAFETY:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	19,800.00	
For other salaries	7,822,500.00	
For other expenses	1,700,000.00	
For Workman's Compensation Insurance, Estimated	141,000.00	
For equipment purchases	114,200.00	
For automotive equipment purchases	800,000.00	
Total		10,597,500.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For other salaries	7,665,000.00	
For other expenses	1,700,000.00	
For Workman's Compensation Insurance—Estimated	145,000.00	
For equipment purchases	113,620.00	
For automotive equipment purchases	800,000.00	
Total		10,443,420.00
(42) DEPARTMENT OF REVENUE:		
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department, For the fiscal year ending September 30, 1972		894,065.30
For the fiscal year ending September 30, 1973		895,204.85
(b) Boards of Equilization: For salaries of the members and employees of the county boards of equalization	143,750.00	
For other expenses	4,000.00	
Total		147,750.00

(43) OFFICE OF SECRETARY OF STATE:		
(a) For the fiscal year ending September 30, 1972:		
For the salary of the Secretary of State	20,000.00	
For other salaries	55,739.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		87,239.00
For the fiscal year ending September 30, 1973:		
For salary of the Secretary of State	20,000.00	
For other salaries	54,804.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		86,304.00
(b) Uniform Commercial Code:		
For the fiscal year ending September 30, 1972:		
For other salaries	39,404.00	
For other expenses	8,500.00	
For equipment purchases	7,600.00	
Total		55,504.00
For the fiscal year ending September 30, 1973:		
For other salaries	39,903.00	
For other expenses	8,500.00	
For equipment purchases	1,800.00	
Total		50,203.00
(44) SECURITIES COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	79,069.00	
For other expenses	10,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	7,500.00	
Total		101,569.00
For the fiscal year ending September 30, 1973:		
For salaries	76,140.00	
For other expenses	10,000.00	
For equipment purchases	1,000.00	
Total		87,140.00

(45) SOCIAL SECURITY ADMINISTRATION:		
For the fiscal year ending September 30, 1972:		
For salaries	93,047.00	
For other expenses	17,500.00	
For equipment purchases	1,000.00	
Total		111,547.00
For the fiscal year ending September 30, 1973:		
For other salaries	91,182.00	
For other expenses	17,500.00	
Total		108,682.00
(46) STATE SOVEREIGNTY COMMISSION:		
To carry out the provisions of Act No. 514 of the 1963 Regular Session		65,000.00
(47) SPORTS HALL OF FAME BOARD:		
To carry out the provisions of Act No. 225, 1967 Regular Session		25,000.00
(48) STATE TOXICOLOGIST:		
For the salary of the State Toxicologist	19,800.00	
For other salaries	294,000.00	
For other expenses	45,000.00	
For equipment purchases	9,000.00	
For automotive equipment purchases	3,500.00	
Total		371,300.00
(49) OFFICE OF THE STATE TREASURER:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Treasurer	20,000.00	
For other salaries	234,150.00	
For other expenses	62,100.00	
For equipment purchases	5,500.00	
Total		321,750.00
For the fiscal year ending September 30, 1973:		
For the salary of the State Treasurer	20,000.00	

For other salaries	249,900.00	
For other expenses	65,000.00	
For equipment purchases	6,500.00	
For automotive equipment purchases	3,700.00	
Total		345,100.00
(50) UNIVERSITY OF ALABAMA—UNIVERSITY HOSPITAL & CLINICS:		
For opreation and maintenance		1,000,000.00
(51) DEPARTMENT OF VETERANS' AFFAIRS:		
For the fiscal year ending September 30, 1972:		
For the salary of the Service Commissioner	17,500.00	
For other salaries	835,275.00	
For other expenses	55,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	7,000.00	
For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		944,475.00
For the fiscal year ending September 30, 1973:		
For the salary of the Service Commissioner	17,500.00	
For other salaries	835,275.00	
For other expenses	55,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		940,975.00
(52) FIRST WHITE HOUSE OF THE CONFEDERACY:		
For salaries and other expenses		10,000.00
B. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:		
(1) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:		

(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries:
For the fiscal year ending September 30, 1972 ..... 2,144,837.00
For the fiscal year ending September 30, 1973 ..... 1,988,548.00

(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases 381,000.00

(2) AGRICULTURE CENTER BOARD:

(a) For transfer to the Agriculture Center Board for salaries and other expenses:
For the fiscal year ending September 30, 1972 ..... 39,621.00
For the fiscal year ending September 30, 1973 ..... 38,496.00

(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session 90,000.00

(3) DEPARTMENT OF CONSERVATION:

(a) For transfer to Department of Conservation—State Land Funds—For salaries, other expenses, and equipment purchases for the State Lands Divisions 43,465.00

(b) For transfer to Department of Conservation—State Parks Fund—For salaries, other expenses and equipment purchases for the Division of State Parks:
For the fiscal year ending September 30, 1973 ..... 1,050,512.18

(4) ALABAMA FORESTRY COMMISSION:

For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases 1,245,825.00

(5) FORT MORGAN HISTORICAL COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	32,162.00	
For other expenses	15,000.00	
For equipment purchases	1,500.00	
For automotive equipment purchases	3,500.00	
Total		52,162.00
For the fiscal year ending September 30, 1973:		
For salaries	32,162.00	
For other expenses	15,000.00	
For equipment purchases	1,500.00	
Total		48,662.00
(6) GEOLOGICAL SURVEY:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Geologist	19,800.00	
For other salaries	315,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	9,000.00	
For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00	
For test drilling	20,000.00	
Topographic Mapping	25,000.00	
Total		631,300.00
For the fiscal year ending September 30, 1973:		
For the salary of the State Geologist	19,800.00	
For other salaries	288,750.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	9,000.00	
For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00	
For test drilling	20,000.00	
Topographic Mapping	25,000.00	
Total		605,050.00
(7) OIL AND GAS BOARD:		
For the fiscal year ending September 30, 1972:		
For salaries	315,000.00	

For other expenses	80,000.00	
For equipment purchases	4,500.00	
For automotive equipment purchases	10,000.00	
For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	30,000.00	
Total		439,500.00
For the fiscal year ending September 30, 1973:		
For salaries	315,000.00	
For other expenses	80,000.00	
For equipment purchases	2,000.00	
For salaries, other expenses, equipment purchases and automotive equipment purchases to be allotted upon opening New Oil and Gas Fields	30,000.00	
Total		427,000.00
(8) STATE SOIL CONSERVATION COMMITTEE:		
For the fiscal year ending September 30, 1972:		
For salaries	34,615.00	
For other expenses	53,500.00	
For automotive equipment purchases	3,500.00	
For Watershed Planning Party and Soil and Water Conservation Districts	75,000.00	
Total		166,615.00
For the fiscal year ending September 30, 1973:		
For salaries	34,725.00	
For other expenses	53,000.00	
For Watershed Planning Party and Soil and Water Conservation District	75,000.00	
Total		162,725.00
(9) WATERSHED CONSERVANCY DISTRICTS:		
(1) Bear Creek Watershed Association.		31,250.00
(2) Choccolocco Watershed		4,000.00
(3) Crooked Creek Watershed		2,500.00
(4) DeKalb County Watershed		7,000.00
(5) Etowah County Watershed		7,000.00
(6) Ketchepedrakee Watershed		2,500.00
(7) Line Creek Watershed		2,000.00
(8) Tallaseehatchee Watershed		2,500.00
(9) Terrapin Creek Watershed		10,000.00

C. HOSPITAL AND CORRECTIONAL FUNCTIONS:

(1) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, estimated		2,000.00
(2) BOARD OF CORRECTIONS:		
For transfer to Board of Corrections		5,718,000.00
(3) FEEDING OF PRISONERS:		
For expenses of feeding prisoners in county jails, estimated		1,000,000.00
(4) JUVENILE PROBATION OFFICERS:		
Estimated		150,000.00
(To carry out the provisions of Act No. 880, 1965 Reg. Sess.)		
(5) MENTAL HEALTH:		
For transfer to Special Mental Health Fund:		
For the fiscal year ending September 30, 1972		4,900,000.00
For the fiscal year ending September 30, 1973		7,600,000.00
There is further hereby additionally conditionally appropriated to the Special Mental Health Fund out of any surplus accrued at the end of fiscal year ending September 1972, an amount not exceeding		2,700,000.00
(6) BOARD OF PARDONS AND PAROLES:		
For the fiscal year ending September 30, 1972:		
For salaries of Board Members	45,000.00	
For other salaries	1,115,000.00	
For other expenses	123,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	7,000.00	
Total		1,294,000.00
For the fiscal year ending September 30, 1973:		
For salaries of Board Members	45,000.00	
For other salaries	1,115,000.00	
For other expenses	123,000.00	
For equipment purchases	2,500.00	
For automotive equipment purchases	7,000.00	
Total		1,292,500.00

(7) REMOVAL OF PRISONERS:
For expenses incident to removal of prisoners, estimated 65,000.00

D. DEBT SERVICE:

(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.

For the fiscal year ending September 30, 1972 ..... 271,000.00

For the fiscal year ending September 30, 1973 ..... 274,250.00

(2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII:

For the fiscal year ending September 30, 1972 ..... 224,115.00

For the fiscal year ending September 30, 1973 ..... 114,620.00

(3) For interest on Spanish American War Veterans Fund, estimated 294.86

(4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated:

For the fiscal year ending September 30, 1972 ..... 2,228,008.75

For the fiscal year ending September 30, 1973 ..... 2,286,713.75

(5) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated:

For the fiscal year ending September 30, 1972 ..... 800,000.00

For the fiscal year ending September 30, 1973 ..... 750,000.00

(6) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant

to Constitutional Amendment No. CCXXIV:		
For the fiscal year ending September 30, 1972		224,805.00
For the fiscal year ending September 30, 1973		228,155.00
E. MISCELLANEOUS:		
(1) Alabama Academy of Honor (Pursuant to provisions of Act No. 15, Third Special Session 1965)		1,500.00
(2) For advertising lands for tax sale, estimated		14,000.00
(3) Alabama Agricultural and Industrial Exhibit Commission		42,500.00
(4) Appalachin Regional Development Program:		
For the fiscal year ending September 30, 1972		112,116.00
For the fiscal year ending September 30, 1973		145,444.00
(5) Armed Forces Day Committee		1,000.00
(6) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated		37,500.00
(7) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated		3,000.00
(8) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated		100.00
(9) Alabama Constitutional Commission:		
For the fiscal year ending September 30, 1972:		
For salaries	31,343.00	
For other expenses	35,485.36	
Total		66,828,36
For the fiscal year ending September 30, 1973:		
For salaries	18,489.00	
For other expenses	29,370.88	
Total		47,859.88
(10) Coosa-Alabama Development Authority		12,500.00

(11) Council of State Governments	30,790.00
(12) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, 1957 Acts, page 777, estimated	250,000.00
(13) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated	65,000.00
(14) Departmental Emergency Fund This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	200,000.00
(15) Department of Finance—Mail and Supply Room:	
For the fiscal year ending September 30, 1972	65,000.00
(16) For distribution of public documents, estimated	30,000.00
(17) Election expenses, estimated:	
For the fiscal year ending September 30, 1972	675,000.00
For the fiscal year ending September 30, 1973	467,500.00
This appropriation made pursuant to provisions of Act No. 160, 1955 Acts, Page 407, for costs and expenses of elections.	
(18) Elk River Development Association	5,000.00
(19) State Employees Insurance:	
To pay the State's share of the State Employee Insurance Program, estimated	300,000.00
(20) Employees' Retirement Fund State's part, estimated:	
For the fiscal year ending September 30, 1972	1,750,000.00
For the fiscal year ending September 30, 1973	1,700,000.00
(21) Fair Trial Tax, Transfer	100,000.00
(To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.)	
(22) Governor's Commission on Drug Abuse	7,000.00

(23) For expenses of Governor's Proclamations, estimated	100,000.00
(24) National Governor's Conference	8,500.00
(25) Governor's Retirement, estimated	9,000.00
(26) Governor's Wives Retirement, Estimated	14,400.00
(27) For Helen Keller Home: For operation and maintenance	2,500.00
(28) Interpreter's Account, estimated (To carry out provisions of Act No. 799, 1965 Reg. Sess.)	100.00
(29) Southern Interstate Nuclear Board	8,902.00
(30) Law Enforcement Legal Defense, Estimated (To carry out provisions of Act No. 259, Regular Session 1967)	10,000.00
(31) For Mailing Tax Notices, estimated	7,500.00
(32) For Matching Federal Funds not otherwise provided for	100,000.00
(33) For Alabama Mountain Lakes Association	5,000.00
(34) Presidential Electoral Expense, Estimated: For the fiscal year ending September 30, 1973	100.00
(35) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1972, estimated	100,000.00
(36) For printing of State and County Privilege Licenses, estimated	8,000.00
(37) Southern Regional Educational Board	8,000.00
(38) Top of Alabama Regional Council on Governments: For the fiscal year ending September 30, 1972	35,000.00
(39) For Registration of Voters, Estimated: For the fiscal year ending September 30, 1972	200,000.00
For the fiscal year ending September 30, 1973	150,000.00
(40) For State's share of Social Security, estimated	550,000.00

(41) For Spanish War Veterans and Widows Encampment	1,000.00
(42) For Tallacoosa Highland Lake Association	5,000.00
(43) Telephone Revolving Fund: For the fiscal year ending September 30, 1972	60,000.00
(44) Tennessee River Development Association	5,000.00
(45) Tennessee-Tombigbee Waterway Development Authority (To carry out the provisions of Act No. 355, 1957 Reg. Sess., approved August 23, 1957.)	50,000.00
(46) State Treasurer—Previous Year unpaid warrants, estimated	25,000.00
(47) Commission on Uniform State Laws Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.	4,000.00
(48) National Veterans Day Committee, Birmingham, Alabama	1,500.00
(49) Veterans Day Committee	1,000.00
(50) Tri-Rivers Development Association (For the promotion of the Chattahoochee River)	30,000.00
(51) Tombigbee Valley Development Authority (To carry out the provisions of Act No. 264, 1967 Regular Session, approved August 29, 1967.)	30,000.00
(52) Alabama Steer Association	10,000.00
(53) Alabama Historic Chattahoochee Commission: For salaries, expenses, equipment purchases and automotive equipment purchases	50,000.00
(54) Alabama Law Institute	75,000.00

F. FROM FUNDS OTHER THAN GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:

For salaries, other expenses and equipment purchases:

For the fiscal year ending September 30, 1972		34,600.00
For the fiscal year ending September 30, 1973		38,100.00

In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1972:		
For the salary of the Director, Estimated	16,200.00	
For other salaries	59,787.00	
For other expenses	28,000.00	
For equipment purchases	1,000.00	
Total		104,987.00
For State Aid for Airports— For Airports and Airmarkings		350,000.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director, Estimated	16,200.00	
For other salaries	60,811.00	
For other expenses	28,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		109,511.00
For State Aid to Airports— For Airports and Airmarkings		350,000.00

The above appropriation to Aeronautics Department shall be paid from the State Airports Development Funds as provided by Act No. 402. Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts 50,000.00

The above appropriation is payable from the funds transferred to this account in Item III A (5) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities, or the Federal Government are hereby appropriated.

(4) AGRICULTURE AND INDUSTRIES:

(a) For the fiscal year ending September 30, 1972:

For the salary of the Commissioner	20,000.00	
For other salaries	2,047,500.00	
For other expenses	860,000.00	
For equipment purchases	70,000.00	
For automotive equipment purchases	105,000.00	
For transfer to State Personnel Department	8,553.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	59,850.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,254,403.00

For the fiscal year ending September 30, 1973:

For the salary of the Commissioner	20,000.00
For other salaries	1,984,500.00
For other expenses	845,000.00
For equipment purchases	40,000.00
For automotive equipment purchases	75,000.00
For transfer to State Personnal Department	8,613.00
For transfer to Shipping Point Inspection	13,500.00
For transfer to Agriculture Center Board	58,500.00
For awarding prizes and premiums	20,000.00

For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,115,113.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1).

The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of $100,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For the fiscal year ending September 30, 1972:		
For salaries	63,703.00	
For other expenses	17,000.00	
For automotive equipment purchases	7,000.00	
Total		87,703.00
For the fiscal year ending September 30, 1973:		
For salaries	61,645.00	
For other expenses	17,000.00	
For automotive equipment purchases	3,500.00	
Total		82,145.00

The above appropriations are payable from funds in the Egg

Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) Meat and Poultry Inspection Division:
For salaries, other expenses, equipment purchases and automotive equipment purchases 381,000.00

The above appropriations are payable from the funds transferred to this account in Item III B (1) (b) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government are hereby appropriated.

(d) 1. Agriculture Center Board:
For the fiscal year ending September 30, 1972:

For salaries	30,363.00	
For other expenses	7,000.00	
For rental (Livestock Coliseum, Montgomery)	59,850.00	
Total		97,213.00

For the fiscal year ending September 30, 1973:

For salaries	29,238.00	
For other expenses	7,000.00	
For rental (Livestock Coliseum, Montgomery)	58,500.00	
Total		94,738.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in III B (2) (b) and III F (4) (a).

2. Livestock Coliseum:
For the fiscal year ending September 30, 1972:

For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	11,000.00	
For automotive equipment purchases	3,500.00	
For repairs to Coliseum	11,200.00	
Total		148,700.00

For the fiscal year ending September 30, 1973:		
For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
Total		124,000.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (31).

(e) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act.

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:

(a) Administrative and Stores Division:

For the fiscal year ending September 30, 1972:		
For the salary of the Administrator	19,800.00	
For other salaries	8,594,365.00	
For other expenses (Transportation cost for merchandise excluded)	1,881,885.00	
For equipment purchases	180,000.00	
For automotive equipment purchases	4,000.00	
Awards for Convictions, estimated	3,000.00	
For transfer to State Personnel Department	29,314.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education Department for Temperance Education	55,900.00	
For transportation cost on merchandise, estimated	280,000.00	
Total		11,348,264.00
For the fiscal year ending September 30, 1973:		
For the salary of the Administrator	19,800.00	
For other salaries	8,309,452.00	
For other expenses (Transportation cost for merchandise excluded)	2,038,335.00	
For equipment purchases	140,000.00	
Awards for Convictions, estimated	3,000.00	
For transfer to State Personnel Department	29,521.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education Department for Temperance Education	58,867.00	
For transportation cost on merchandise, estimated	280,000.00	
Total		11,178,975.00

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said

Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending September 30, 1972:

For salaries	1,241,212.00	
For other expenses	299,064.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	160,000.00	
Total		1,710,276.00

For the fiscal year ending September 30, 1973:

For salaries	1,238,780.00	
For other expenses	320,464.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	160,000.00	
Total		1,729,244.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending September 30, 1972:

For salaries	546,467.00	
For other expenses	167,615.00	
For equipment purchases	2,000.00	
Total		716,082.00

For the fiscal year ending September 30, 1973:		
For salaries	538,904.00	
For other expenses	178,275.00	
For equipment purchases	2,000.00	
Total		719,179.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September 30, 1972:		
For salaries	7,371.00	
For other expenses	16,850.00	
For equipment purchases	1,000.00	
Total		25,221.00
For the fiscal year ending September 30, 1973:		
For salaries	7,098.00	
For other expenses	18,050.00	
For equipment purchases	1,000.00	
Total		26,148.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	451,025.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		856,525.00
For the fiscal year ending September 30, 1973:		
For salaries	449,450.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		854,950.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (34) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS:

For salaries, other expenses, and equipment purchases	125,000.00

The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Section III, A (7).

(9) DEPARTMENT OF BANKING:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated:

For the fiscal year ending September 30, 1972		371,500.00
For the fiscal year ending September 30, 1973		361,000.00

The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (11) of this Act.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For the fiscal year ending September 30, 1972:

For salaries	94,500.00	
For other expenses	25,000.00	
For equipment purchases	500.00	
Total		120,000.00

For the fiscal year ending September 30, 1973:

For salaries	89,250.00	
For other expenses	25,000.00	
For equipment purchases	500.00	
Total		114,750.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (12) of this Act.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	74,860.00	
For other expenses	108,100.00	
For equipment purchases	500.00	
Total		183,460.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For the fiscal year ending September 30, 1972:		
For salaries	2,520.00	
For other expenses	7,450.00	
For equipment purchases	3,250.00	
Total		13,220.00
For the fiscal year ending September 30, 1973:		
For salaries	2,520.00	
For other expenses	6,970.00	
Total		9,490.00

The above appropriations shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending September 30, 1972:		
For salary of the Director	19,800.00	
For other salaries	336,000.00	
For other expenses	145,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	3,500.00	
For transfer to Personnel Department	9,946.00	
Total		518,246.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	19,800.00	
For other salaries	315,000.00	
For other expenses	150,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	3,500.00	
For transfer to Personnel Department	10,017.00	
Total		502,317.00

The above appropriations shall be paid out of the Department of Conservation — Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For the fiscal year ending September 30, 1972:

For salaries	1,847,457.00	
For other expenses	678,347.98	
For equipment purchases	61,442.00	
For automotive equipment purchases	106,150.00	
For transfer to Conservation Department — Administrative Account	195,000.00	
Total		2,888,396.98

For the fiscal year ending September 30, 1973:

For salaries	1,802,630.00	
For other expenses	677,739.60	
For equipment purchases	19,831.00	
For automotive equipment purchases	92,900.00	
For transfer to Conservation Department — Administrative Account	195,000.00	
Total		2,788,100.60

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(c) State Lands Division:

For the fiscal year ending September 30, 1972:

For salaries	64,575.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	7,000.00	
For transfer to Conservation Department — Administrative Account	5,575.00	
Total		96,150.00

For the fiscal year ending September 30, 1973:

For salaries	63,658.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
For transfer to Conservation Department — Administrative Account	5,575.00	
Total		91,733.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (a) of this Act.

(d) State Parks Division:

For the fiscal year ending September 30, 1972:		
For salaries	1,207,500.00	
For other expenses	460,000.00	
For equipment purchases	51,400.00	
For automotive equipment purchases	73,600.00	
For transfer to Conservation Department — Administrative Account	175,000.00	
Total		1,967,500.00
For the fiscal year ending September 30, 1973:		
For salaries	1,260,000.00	
For other expenses	475,000.00	
For equipment purchases	51,400.00	
For automotive equipment purchases	73,600.00	
For transfer to Conservation Department — Administrative Account	175,000.00	
Total		2,035,000.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund, and shall include funds previously received from the one-cent cigarette tax as provided in Act No. 309, 1967 Regular Session. The funds hereinabove appropriated shall also include the appropriations made in Item III B (b) in this Act.

(e) Seafoods Division:

For the fiscal year ending September 30, 1972:		
For salaries	309,443.00	
For other expenses	112,000.00	
For equipment purchases	23,000.00	
For automotive equipment purchases	10,500.00	

For transfer to Conservation Department — Administrative Account	54,198.00	
For Gulf State Marine Fisheries Commission	5,000.00	
For Auburn University — Fish Disease	3,000.00	
Total		517,141.00
For the fiscal year ending September 30, 1973:		
For salaries	330,330.00	
For other expenses	112,000.00	
For equipment purchases	23,000.00	
For automotive equipment purchases	10,500.00	
For transfer to Conservation Department — Administrative Account	54,198.00	
For Auburn University — Fish Disease	3,000.00	
For entertainment of the Gulf State Fisheries Convention	1,500.00	
For Gulf State Marine Fisheries Commission	5,000.00	
Total		539,528.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Dauphin Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

(f) Water Safety Division:

For the fiscal year ending September 30, 1972:	
For salaries	420,000.00
For other expenses	145,000.00
For equipment purchases	161,500.00
For automotive equipment purchases	50,000.00

For transfer to Conservation Department — Administrative Account	41,698.00	
Total		818,198.00
For the fiscal year ending September 30, 1973:		
For salaries	388,500.00	
For other expenses	145,000.00	
For equipment purchases	51,500.00	
For automotive equipment purchases	50,000.00	
For transfer to Conservation Department — Administrative Account	41,698.00	
Total		676,698.00

The funds hereinabove appropriated to the Water Safety Division shall be paid out of the State Water Safety Fund.

(14) STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For the fiscal year ending September 30, 1972:		
For salaries	49,630.00	
For other expenses	20,000.00	
For equipment purchases	1,000.00	
Total		70,630.00
For the fiscal year ending September 30, 1973:		
For salaries	50,501.00	
For other expenses	20,000.00	
For equipment purchases	1,000.00	
Total		71,501.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner	19,800.00	
For other salaries	4,042,500.00	
For other expenses	3,300,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	59,328.00	
For transfer to the State Personnel Department	14,205.00	
Total		7,545,833.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner	19,800.00	
For other salaries	4,042,500.00	
For other expenses	3,400,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	57,204.00	
For transfer to the State Personnel Department	14,305.00	
Total		7,643,809.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

(16) ALABAMA BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1972:		
For salaries	78,473.00	
For other expenses	65,000.00	
Total		143,473.00
For the fiscal year ending September 30, 1973:		
For salaries	76,686.00	
For other expenses	65,000.00	
For equipment purchases	6,900.00	
Total		148,586.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Ala-

bama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(17) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,

For the fiscal year ending September 30, 1972		3,014.00
For the fiscal year ending September 30, 1973		3,036.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(18) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September 30, 1972:

For salaries	49,165.00	
For other expenses	28,000.00	
For investigations and court costs	10,000.00	
For equipment purchases	2,000.00	
Total		89,165.00

For the fiscal year ending September 30, 1973:

For salaries	50,524.00	
For other expenses	30,000.00	
For investigations and court costs	10,000.00	
For equipment purchases	1,000.00	
Total		91,524.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(19) FARMERS MARKET AUTHORITY:

For the fiscal year ending September 30, 1972:

For salaries	25,427.00
For other expenses	16,800.00
For equipment purchases	500.00

For automotive equipment purchases	3,500.00	
Total		46,227.00
For the fiscal year ending September 30, 1973:		
For salaries	25,439.00	
For other expenses	16,800.00	
Total		42,239.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (19) in this Act.

(20) STATE FORESTRY COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	2,730,000.00	
For other expenses	625,000.00	
For equipment purchases	57,000.00	
For automotive equipment purchases	130,000.00	
For transfer to State Personnel Department	9,231.00	
Total		3,551,231.00
For the fiscal year ending September 30, 1973:		
For salaries	2,677,500.00	
For other expenses	625,000.00	
For equipment purchases	151,750.00	
For automotive equipment purchases	100,000.00	
For transfer to State Personnel Department	9,296.00	
Total		3,563,546.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III, B (4) of this Act.

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of $300,000.00 for each of the fiscal years ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated.

It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of $687,100.00 for the fiscal year ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(21) STATE BOARD OF REGISTRATION FOR FORESTERS:

For the fiscal year ending September 30, 1972:		
For other expenses	4,505.00	
For equipment purchases	700.00	
Total		5,205.00
For the fiscal year ending September 30, 1973:		
For other expenses	4,705.00	
For equipment purchases	700.00	
Total		5,405.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(22) LICENSING BOARD FOR THE HEALING ARTS:

For the fiscal year ending September 30, 1972:		
For salaries	35,270.00	
For other expenses	4,000.00	
For equipment purchases	900.00	
For automotive equipment purchases	3,500.00	
Total		43,670.00
For the fiscal year ending September 30, 1973:		
For salaries	34,435.00	
For other expenses	4,000.00	
Total		38,435.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.		
(23) HEALTH DEPARTMENT:		
(a) Hospital Licensing: For the fiscal year ending September 30, 1972:		
For salaries	30,765.00	
For other expenses	9,000.00	
Total		39,765.00
For the fiscal year ending September 30, 1973:		
For salaries	30,576.00	
For other expenses	5,850.00	
Total		36,426.00
The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (23) (h) in this Act.		
(b) County Health Work: For salaries, other expenses and equipment purchases, estimated		1,184,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (23) (c) and funds transferred in Item III F (23) (f) and Item III F (23) (g) in this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.		
(c) Indigent Care: For the fiscal year ending September 30, 1972:		
For salaries	14,027.00	
For distribution to counties, estimated	361,111.75	
Total		375,138.75

For the fiscal year ending September 30, 1973:		
For salaries	13,541.00	
For distribution to counties, estimated	362,009.50	
Total		375,550.50

The above appropriations are payable from the funds transferred to this account in Item III A (23) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Medicaid:

For the operation of the Medicaid Program		22,000,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (23) (i) by this Act. In addition to the above appropriations, any and all funds received to the credit of the medicaid program from whatever source including all funds received from the Federal Government are hereby appropriated.

Any funds remaining in the Medicaid Fund on September 30, of each of the fiscal years 1971–72 and 1972–73 shall not revert but may be carried forward and expended for Medicaid purposes in the insuing fiscal year. Any funds received in the fiscal year 1971–72 and 1972–73 as a reimbursement of expenditures incurred in the previous year may be used for Medicaid purposes in these years.

(e) Bureau of Vital Statistics:

For the fiscal year ending September 30, 1972:		
For salaries	315,293.00	
For other expenses	35,000.00	
For equipment purchases	12,000.00	
Total		362,293.00

For the fiscal year ending September 30, 1973:		
For salaries	311,040.00	
For other expenses	35,000.00	
For equipment purchases	4,000.00	
Total		350,040.00

The above appropriations are payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(f) Health Department:

For the fiscal year ending September 30, 1972:		
For salaries	915,000.00	
For transfer to the County Health Work Account	375,000.00	
Total		1,290,000.00
For the fiscal year ending September 30, 1973:		
For salaries	951,750.00	
For transfer to the County Health Work Account	375,000.00	
Total		1,326,750.00

The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(g) Health Department:

For the fiscal year ending September 30, 1972:		
For salaries	477,210.00	
For other expenses	475,000.00	
For equipment purchases	25,000.00	
For transfer to the County Health Work Account	384,000.00	
Total		1,361,210.00
For the fiscal year ending September 30, 1973:		
For salaries	470,528.00	
For other expenses	475,000.00	
For equipment purchases	25,000.00	
For transfer to the County Health Work Account	384,000.00	
Total		1,354,528.00

The above appropriations are payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(24) HIGHWAY AND BRIDGES:

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated for transfer to the State Personnel Department the following amounts:

For the fiscal year ending September 30, 1972	27,390.00
For the fiscal year ending September 30, 1973	28,237.00

(The above appropriations to the State Personnel Department are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated, to provided for salary increases for Highway Department Personnel, the following amounts:

(a)	For Administration of the State Highway Department	67,246.00
(b)	For Operations of the State Highway Department	589,546.00
(c)	For Supervision of the State Highway Department	209,267.00
(d)	For the maintenance of roads and bridges in the State Highway Department	493,972.00
(e)	For construction of Feeder Roads and other portions of, or work in respect to, Federal Aid Projects for which portions or Work Federal Matching Funds are not available	461,279.00
(f)	For construction of roads and bridges for which no matching funds are available	150,502.00

For the fiscal year ending September 30, 1972, Total		1,971,812.00
For the fiscal year ending September 30, 1973, Total		1,971,812.00
(The above appropriations are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)		
(25) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For salaries, other expenses and equipment purchases		75,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (24) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.		
(26) ALABAMA HISTORICAL COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	59,745.00	
For other expenses	10,000.00	
For equipment purchases	2,000.00	
Total		71,745.00
For the fiscal year ending September 30, 1973:		
For salaries	56,070.00	
For other expenses	10,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
		71,570.00
The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III A (25) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.		
(27) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For the fiscal year ending September 30, 1972:		

For the salary of the Director, estimated		19,800.00
For transfer to the State Personnel Department		25,960.00
For the fiscal year ending September 30, 1973:		
For salary of the Director, estimated		19,800.00
For transfer to the State Personnel Department		26,144.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (27), all such sums as the United States Government may make available therefor.

(28) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1972:		
For salaries	94,500.00	
For other expenses	32,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	7,000.00	
Total		134,500.00
For the fiscal year ending September 30, 1973:		
For salaries	89,250.00	
For other expenses	32,000.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		125,250.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(29) LAW ENFORCEMENT FUND 8,000.00

The above appropriations shall be paid from the proceeds deposited to

the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such fund are limited to the amount appropriated herein.

(30) LIQUIFIED PETROLEUM GAS BOARD:

For the fiscal year ending September 30, 1972:

For salary of Director, estimated	13,824.00	
For other salaries	33,368.00	
For other expenses	15,775.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		66,967.00

For the fiscal year ending September 30, 1973:

For salary of Director, estimated	13,824.00	
For other salaries	32,132.00	
For other expenses	15,775.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		65,731.00

The above appropriations shall be paid from receipts paid into the Liquified Petroleum Gas Fund.

(31) MILK CONTROL BOARD:

For the fiscal year ending September 30, 1972:

For salaries	104,492.00	
For other expenses	49,335.00	
For equipment purchases	500.00	
Total		154,327.00

For the fiscal year ending September 30, 1973:

For salaries	105,920.00	
For other expenses	44,510.00	
For equipment purchases	500.00	
Total		150,930.00

The above appropriations shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(32) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For the fiscal year ending September 30, 1972:		
For salaries	92,267.70	
For other expenses	57,367.75	
For equipment purchases	7,300.00	
Total		156,935.45
For the fiscal year ending September 30, 1973:		
For salaries	104,797.00	
For other expenses	47,617.75	
For equipment purchases	3,500.00	
For automotive equipment purchases	3,500.00	
Total		159,414.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(33) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated 16,800.00

The above appropriations shall be paid from receipts paid into the the Board of Nursing Home Administration Fund.

(34) PENSIONS:

(a) For Confederate Veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate Soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(35) DEPARTMENT OF PENSIONS AND SECURITY:

For the fiscal year ending September 30, 1972:

For the salary of the Commissioner		19,800.00
For transfer to the State Personnel Department		51,317.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner		19,800.00
For transfer to State Personnel Department		51,680.00

For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (35), all Federal, State, County and Municipal funds made available therefor.

(36) PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1972:		
For salary of the Director, estimated	18,000.00	
For other salaries	293,956.00	
For other expenses	89,852.90	
For equipment purchases	2,154.00	
For automotive equipment purchases	3,200.00	
Total		407,162.90
For the fiscal year ending September 30, 1973:		
For salary of the Director, estimated	18,000.00	
For other salaries	293,673.00	
For other expenses	92,102.90	
For equipment purchases	6,434.00	
Total		410,209.90

The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(37) ALABAMA DEVELOPMENT OFFICE:

For the fiscal year ending September 30, 1972:		
For the salary of the Director	19,800.00	
For other salaries	892,500.00	
For other expenses	350,000.00	
For equipment purchases	10,000.00	

For automotive equipment purchases	10,500.00	
For National Advertising and Industrial Promotion	200,000.00	
For Contracts	122,000.00	
For Feasibility Study-City of Talladega	25,000.00	
Total		1,629,800.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For other salaries	840,000.00	
For other expenses	350,000.00	
For equipment purchases	5,000.00	
For National Advertising and Industrial Promotion	150,000.00	
For Contracts	82,000.00	
Total		1,446,800.00

The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (17) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(38) BOARD OF EXAMINERS OF PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated 2,500.00

The above appropriation shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (39).

(39) BUREAU OF PUBLICITY AND INFORMATION:

For the fiscal year ending September 30, 1972:		
For salaries	63,000.00	
For other expenses	45,000.00	
For equipment purchases	4,000.00	
For advertising	400,000.00	
For Welcome Centers:		
Operation and Maintenance	50,000.00	
Total		562,000.00
For the fiscal year ending September 30, 1973:		

For salaries	63,000.00	
For other expenses	45,000.00	
For advertising	400,000.00	
For Welcome Centers:		
Operation and Maintenance	50,000.00	
Total		558,000.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(40) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars ($100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, and 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(41) PUBLIC SERVICE COMMISSION:

For the fiscal year ending September 30, 1972:

For salary of the President and Two Associate Commissioners	54,500.00	
For other salaries	472,500.00	
For other expenses	175,000.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	10,500.00	
Total		722,500.00

For the fiscal year ending September 30, 1973:

For salary of the President and Two Associate Commissioners	54,500.00	
For other salaries	446,250.00	
For other expenses	175,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	10,500.00	
Total		691,250.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of a fiscal year in excess of $150,000.00 shall be transferred to the State General Fund.

(42) ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	45,578.00	
For other expenses	30,000.00	
For equipment purchases	500.00	
Total		76,078.00
For the fiscal year ending September 30, 1973:		
For salaries	45,578.00	
For other expenses	30,000.00	
For equipment purchases	500.00	
Total		76,078.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(43) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (42) (a) of this Act.

For the fiscal year ending September 30, 1972	894,065.30
For the fiscal year ending September 30, 1973	895,204.85

There is hereby appropriated for transfer to Revenue Department,

Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	98,603.17
For the fiscal year ending September 30, 1973	98,728.85
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	100,499.39
For the fiscal year ending September 30, 1973	100,627.48
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	659,882.77
For the fiscal year ending September 30, 1973	660,723.84
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax Collections, for the cost of collecting said tax,	
For the fiscal year ending September 30, 1972	2,192,024.37
For the fiscal year ending September 30, 1973	2,194,818.27
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1972	381,139.18
For the fiscal year ending September 30, 1973	381,624.98

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 385,879.72

For the fiscal year ending September 30, 1973 ..... 386,371.56

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax,
For the fiscal year ending September 30, 1972 ..... 117,565.32

For the fiscal year ending September 30, 1973 ..... 117,715.16

There is hereby appropriated for transfer to Revenue Department Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax,
For the fiscal year ending September 30, 1972 ..... 291,068.98

For the fiscal year ending September 30, 1973 ..... 291,439.97

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 3,050,061.59

For the fiscal year ending September 30, 1973 ..... 3,053,949.13

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 57,834.55

For the fiscal year ending September 30, 1973 ..... 57,908.27

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department, For the fiscal year ending September 30, 1972	628,595.22
For the fiscal year ending September 30, 1973	629,396.42
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department, For the fiscal year ending September 30, 1972	300,550.05
For the fiscal year ending September 30, 1973	300,933.13
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department, For the fiscal year ending September 30, 1972	127,046.39
For the fiscal year ending September 30, 1973	127,208.33
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session, For the fiscal year ending September 30, 1972	196,258.24
For the fiscal year ending September 30, 1973	196,508.38
For the fiscal year ending September 30, 1972: Total	9,481,074.24
For the fiscal year ending September 30, 1973: Total	9,493,158.62
There is hereby appropriated to the Revenue Department from the gross	

proceeds of Motor Vehicle License collections for the purchase only, of Motor Vehicle License tags, For the fiscal year ending September 30, 1972		1,160,000.00
For the fiscal year ending September 30, 1973		1,210,000.00
(44) DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:		
For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner	19,800.00	
For other salaries	6,828,526.00	
For other expenses, estimated	1,756,850.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	21,000.00	
For transfer to State Personnel Department	15,778.00	
Total		8,671,954.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner	19,800.00	
For other salaries	6,758,735.00	
For other expenses, estimated	1,844,350.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	21,000.00	
For transfer to State Personnel Department	15,895.00	
Total		8,689,780.00
The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.		
(45) STATE BOARD OF REGISTRATION FOR SANITARIANS:		
For salaries	945.00	

For other expenses	1,480.00	
Total		2,425.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, Second Special Session, 1964.

(46) TEMPERANCE EDUCATION:

For the fiscal year ending September 30, 1972:

For salaries	41,659.00	
For other expenses	14,775.00	
For equipment purchases	1,000.00	
Total		55,434.00

For the fiscal year ending September 30, 1973:

For salaries	45,825.00	
For other expenses	14,775.00	
Total		60,600.00

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(47) BOARD OF PHYSICAL THERAPIST:

For the fiscal year ending September 30, 1972:

For expenses	2,150.00	
For equipment purchases	200.00	
Total		2,350.00

For the fiscal year ending September 30, 1973:

For expenses		2,500.00

The above appropriations shall be paid from receipts paid into the Board of Physical Therapist Fund.

(48) UNIVERSITY OF ALABAMA—MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated	23,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(49) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:		
For salaries	105.00	
For other expenses	6,650.00	
For equipment purchases	250.00	
Total		7,005.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1971.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agnecy, institution, office of officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. All acts of the Governor of the State of Alabama and all other state officials pertaining to expenditures of state funds made to insure and to provide for the continuity of and the operation of the State Government and the public school system of the State of Alabama from October 1, 1971, until the effective date of this Act are hereby ratified and approved.

Section 8. That, is any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

MOTION TO TABLE SUBSTITUTE LOST

The motion of Mr. Mathews to table the substitute offered by Mr. Cauthen to the bill, H. 1, was lost.

Yeas 47; Nays 57.

Yeas:

Mr. Speaker	Callahan	Downing	Hardin
Adwell	Carnes	Drake	Hearn
Agee	Carter	Easters	Hobbie
Bank	Casey	Edwards	Jones (F)
Barkett	Chesnut	Fite	Lang
Bassett	Collins	Gafford	McCorquodale
Bowers	Connell	Gloor	Mathews
Burgess	Crawford	Grainger	Merrill

O'Daniel	Robertson	Turner	Williams	
Owens	Smith (K)	Turnham	Wise	
Perloff	Stubbs	Waldrop	Wood	
Pruitt	Therrell	Weeks		—47

Nays:

Messrs.:	Ellis	Lutz	Roberts	
Adams	Erdreich	McBride	St. John	
Baker	Falkenburg	McCluskey	Slate	
Benton	Flippo	Manley	Smith (P)	
Boles	Goodwin	May	Snell	
Boutwell	Gray (F)	Meeks	Stewart	
Brassell	Grey (D)	Mims	Stokes	
Cauthen	Hale	Naramore	Straiton	
Cherner	Harris	Nettles	Taylor	
Coshatt	Headley	Parker (H)	Timmons	
Cottingham	Hill	Parker (T)	Waggoner	
Cross	Jackson	Reed (T)	Wallace	
Crowe	Jones (E)	Reid (R)	Warren	
Dill	King	Reynolds	Wynot	
Doss	Kinsey			—57

MOTION TO RECESS LOST

The motion of Mr. Stubbs that the House stand in informal recess was lost.

Yeas 39; Nays 59.

Yeas:

Mr. Speaker	Collins	Grainger	Pruitt	
Agee	Connell	Headley	Robertson	
Bank	Crawford	Hearn	Smith (K)	
Barkett	Crowe	Hobbie	Stubbs	
Bowers	Downing	McCorquodale	Therrell	
Burgess	Drake	Mathews	Turner	
Callahan	Easters	Merrill	Turnham	
Carnes	Edwards	O'Daniel	Williams	
Casey	Fite	Owens	Wood	
Chesnut	Gafford	Perloff		—39

Nays:

Messrs.:	Ellis	Lutz	St. John	
Adams	Erdreich	McBride	Slate	
Baker	Falkenburg	McCluskey	Smith (P)	
Benton	Flippo	Manley	Snell	
Boles	Goodwin	May	Stewart	
Boutwell	Gray (F)	Meeks	Stokes	
Brassell	Grey (D)	Mims	Straiton	
Carter	Hale	Naramore	Taylor	
Cauthen	Harris	Nettles	Timmons	
Cherner	Hill	Parker (H)	Waggoner	
Coshatt	Jackson	Parker (T)	Waldrop	
Cottingham	Jones (E)	Reed (T)	Wallace	
Cross	King	Reid (R)	Warren	
Dill	Kinsey	Reynolds	Weeks	
Doss	Lang	Roberts	Wynot	
				—59

READING OF SUBSTITUTE FOR H. 1

Mr. Mathews requested that the substitute to the bill, H. 1, offered by Mr. Cauthen, be read at length, and the reading commenced.

Mr. Mathews later withdrew his request for the reading at length of the substitute to the bill, H. 1, and the reading was stopped.

SUBSTITUTE ADOPTED

On motion of Mr. Cauthen, the substitute offered by him to the bill, H. 1, was adopted.

Yeas 55; Nays 47.

Yeas:

Messrs.:	Dill	Kinsey	Reynolds
Adams	Doss	Lutz	Roberts
Agee	Ellis	McBride	St. John
Baker	Erdreich	McCluskey	Slate
Benton	Falkenburg	Manley	Smith (P)
Boles	Flippo	May	Snell
Boutwell	Goodwin	Meeks	Stewart
Brassell	Gray (F)	Mims	Stokes
Cauthen	Hale	Naramore	Straiton
Cherner	Harris	Nettles	Taylor
Coshatt	Hill	Parker (H)	Timmons
Cottingham	Jackson	Parker (T)	Wallace
Cross	Jones (E)	Reed (T)	Warren
Crowe	King	Reid (R)	Wynot

—55

Nays:

Mr. Speaker	Collins	Hardin	Pruitt
Adwell	Connell	Headley	Robertson
Bank	Crawford	Hearn	Smith (K)
Barkett	Downing	Hobbie	Stubbs
Bassett	Drake	Jones (F)	Therrell
Bowers	Easters	Lang	Turner
Burgess	Edwards	McCorquodale	Waggoner
Callahan	Fite	Mathews	Waldrop
Carnes	Gafford	Merrill	Williams
Carter	Gloor	O'Daniel	Wise
Casey	Grainger	Owens	Wood
Chesnut	Grey (D)	Perloff	

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MOTION TO CARRY OVER H. 1 TABLED

On motion of Mr. Cherner, the motion of Mr. Stubbs to carry over the bill, H. 1, as amended, was tabled.

Yeas 62; Nays 40.

Yeas:

Messrs.:	Boles	Carter	Crowe
Adams	Boutwell	Cauthen	Dill
Baker	Bowers	Cherner	Doss
Bassett	Brassell	Coshatt	Edwards
Benton	Carnes	Cross	Ellis

Erdreich	Jones (E)	Naramore	Snell
Falkenburg	Jones (F)	Nettles	Stewart
Flippo	King	Parker (H)	Stokes
Goodwin	Kinsey	Parker (T)	Straiton
Gray (F)	Lutz	Reed (T)	Taylor
Hale	McBride	Reid (R)	Timmons
Hardin	McCluskey	Reynolds	Turnham
Harris	Manley	Roberts	Waldrop
Hearn	May	St. John	Warren
Hill	Meeks	Slate	Wynot
Jackson	Mims	Smith (P)	

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Nays:

Mr. Speaker	Cottingham	Headley	Robertson
Adwell	Crawford	Hobbie	Smith (K)
Agee	Downing	Lang	Stubbs
Barkett	Drake	McCorquodale	Therrell
Burgess	Easters	Mathews	Turner
Callahan	Fite	Merrill	Waggoner
Casey	Gafford	O'Daniel	Weeks
Chesnut	Gloor	Owens	Williams
Collins	Grainger	Perloff	Wise
Connell	Grey (D)	Pruitt	Wood

—40

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Weeks for the Journal to show him voting "Nay" on the substitute offered by Mr. Cauthen to the bill, H. 1.

H. 1 RESUMED

Mr. Grainger offered the following amendment to the bill, H. 1, as amended:

Amend substitute for House Bill 1, Section 2, Subsection III E. (45) on page 36, by deleting the figures "$50,000.00" and substituting in lieu thereof the figures "$80,000.00".

Further amend by deleting subsection (51) of Section 2, III E on page 36 in its entirety and renumbering the subsequent subsections accordingly.

And the amendment was lost.

Yeas 35; Nays 44.

Yeas:

Mr. Speaker	Downing	Lang	Smith (K)
Barkett	Easters	Lutz	Therrell
Burgess	Edwards	McCluskey	Turner
Carnes	Gafford	McCorquodale	Turnham
Casey	Gloor	O'Daniel	Wallace
Chesnut	Grainger	Owens	Weeks
Collins	Hardin	Perloff	Williams
Connell	Headley	Pruitt	Wood
Crawford	Hobbie	Robertson	

—35

Nays:

Messrs.:	Crowe	Jones (F)	Reynolds
Adams	Doss	Kinsey	Slate
Baker	Ellis	McBride	Snell
Benton	Erdreich	Manley	Stewart
Boles	Falkenburg	May	Stokes
Boutwell	Goodwin	Mims	Straiton
Brassell	Gray (F)	Naramore	Taylor
Carter	Hale	Parker (H)	Timmons
Cauthen	Harris	Parker (T)	Waldrop
Cherner	Jackson	Reed (T)	Warren
Coshatt	Jones (E)	Reid (R)	Wynot
Cross			

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Mr. Fite offered the following amendment to the bill, H. 1, as amended:

Amend House Bill 1 as substituted by striking therefrom in III., B., (9), (1), the words "Bear Creek Development Authority" and inserting in lieu thereof the following: "Bear Creek Watershed Association".

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Robertson
Adams	Doss	King	St. John
Agee	Downing	Kinsey	Slate
Baker	Easters	Lang	Smith (K)
Bank	Edwards	Lutz	Snell
Barkett	Ellis	McBride	Stewart
Bassett	Erdreich	McCluskey	Stokes
Boles	Falkenburg	McCorquodale	Straiton
Boutwell	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Carnes	Goodwin	Meeks	Timmons
Carter	Grainger	Merrill	Turner
Casey	Gray (F)	Naramore	Turnham
Cauthen	Grey (D)	O'Daniel	Waggoner
Chesnut	Hale	Owens	Waldrop
Collins	Hardin	Parker (H)	Wallace
Connell	Harris	Parker (T)	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Pruitt	Williams
Crawford	Hill	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot

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And the bill, H. 1, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 18.

Yeas:

Messrs.:	Agee	Bank	Benton
Adams	Baker	Bassett	Boles

Boutwell	Ellis	Lutz	Smith (P)
Bowers	Erdreich	McBride	Snell
Brassell	Falkenburg	McCluskey	Stewart
Burgess	Flippo	Manley	Stokes
Callahan	Goodwin	May	Straiton
Carnes	Grainger	Meeks	Stubbs
Carter	Gray (F)	Merrill	Taylor
Casey	Grey (D)	Mims	Therrell
Cauthen	Hale	Naramore	Timmons
Cherner	Hardin	Nettles	Turnham
Connell	Harris	Owens	Waggoner
Coshatt	Headley	Parker (H)	Waldrop
Cottingham	Hearn	Parker (T)	Wallace
Crawford	Hill	Perloff	Warren
Cross	Jackson	Reed (T)	Weeks
Crowe	Jones (E)	Reid (R)	Williams
Dill	Jones (F)	Reynolds	Wise
Doss	King	St. John	Wood
Edwards	Kinsey	Slate	Wynot

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Nays:

Mr. Speaker	Easters	Lang	Pruitt
Barkett	Drake	McCorquodale	Robertson
Chesnut	Fite	Mathews	Smith (K)
Collins	Gafford	O'Daniel	Turner
Downing	Hobbie		

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And the bill:

H. 2. To amend Section 32 of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama so as to make further provisions respecting the use of the proceeds from the taxes levied by the said Act, as amended.

Was taken up.

Mr. McCorquodale offered the following amendment to the bill:

Amend Section 1 of House Bill 2 by striking the figure "5%" wherever it appears therein and substituting in lieu thereof the figure "2½%".

And the amendment was adopted.

Yeas 96; Nays 7.

Yeas:

Mr. Speaker	Callahan	Doss	Gray (F)
Adams	Carnes	Downing	Grey (D)
Adwell	Carter	Easters	Hale
Agee	Casey	Edwards	Hardin
Baker	Cherner	Ellis	Harris
Bank	Chesnut	Erdreich	Headley
Barkett	Collins	Falkenburg	Hearn
Benton	Connell	Fite	Hill
Boles	Coshatt	Flippo	Hobbie
Boutwell	Cottingham	Gafford	Jackson
Bowers	Crawford	Gloor	Jones (E)
Brassell	Crowe	Goodwin	Jones (F)
Burgess	Dill	Grainger	King

Kinsey	Nettles	Robertson	Timmons
Lang	O'Daniel	St. John	Turner
Lutz	Owens	Slate	Turnham
McBride	Parker (H)	Smith (K)	Waggoner
McCluskey	Parker (T)	Smith (P)	Waldrop
McCorquodale	Perloff	Snell	Wallace
Manley	Pruitt	Stewart	Weeks
Mathews	Reed (T)	Stokes	Williams
Meeks	Reid (R)	Straiton	Wise
Merrill	Reynolds	Taylor	Wood
Mims	Roberts	Therrell	Wynot

—96

Nays:

Messrs.:	Cauthen	May	Stubbs
Bassett	Cross	Naramore	Warren

—7

H. 2 INDEFINITELY POSTPONED

On motion of Mr. Cherner, the bill, H. 2, as amended, was indefinitely postponed.

Yeas 73; Nays 30.

Yeas:

Messrs.:	Doss	Lang	St. John
Adams	Edwards	Lutz	Slate
Agee	Ellis	McBride	Smith (P)
Baker	Erdreich	McCluskey	Snell
Bank	Falkenburg	Manley	Stewart
Bassett	Flippo	May	Stokes
Benton	Goodwin	Meeks	Straiton
Boles	Gray (F)	Merrill	Stubbs
Boutwell	Grey (D)	Mims	Taylor
Bowers	Hale	Naramore	Timmons
Brassell	Harris	Nettles	Turnham
Carnes	Headley	Owens	Waggoner
Cauthen	Hearn	Parker (H)	Waldrop
Cherner	Hill	Parker (T)	Wallace
Coshatt	Jackson	Reed (T)	Warren
Crawford	Jones (E)	Reid (R)	Weeks
Cross	Jones (F)	Reynolds	Wise
Crowe	King	Roberts	Wynot
Dill	Kinsey		

—73

Nays:

Mr. Speaker	Collins	Gloor	Pruitt
Adwell	Connell	Grainger	Robertson
Barkett	Cottingham	Hobbie	Smith (K)
Burgess	Downing	McCorquodale	Therrell
Callahan	Drake	Mathews	Turner
Carter	Easters	O'Daniel	Williams
Casey	Fite	Perloff	Wood
Chesnut	Gafford		

—30

And the bill:

H. 3. To amend Section 808 of Title 51, Code of Alabama 1940, as heretofore amended, so as to make further provisions respecting the use of

the proceeds from the excise tax, commonly known as the state use tax, levied by Section 788 of the said Title 51, as amended.

Was taken up.

Mr. McCorquodale offered the following amendment to the bill:

Amend Section 1 of House Bill 3 by striking the figure "5%" wherever it appears therein and substituting in lieu thereof the figure "2½%".

And the amendment was adopted.

Yeas 95; Nays 4.

Yeas:

Mr. Speaker	Doss	King	Robertson
Adams	Downing	Kinsey	St. John
Adwell	Drake	Lang	Slate
Agee	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	Manley	Stokes
Bowers	Fite	Mathews	Straiton
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Nettles	Turnham
Casey	Grey (D)	O'Daniel	Waggoner
Cherner	Hale	Owens	Waldrop
Chesnut	Hardin	Parker (H)	Wallace
Collins	Harris	Parker (T)	Warren
Connell	Headley	Perloff	Weeks
Coshatt	Hearn	Pruitt	Williams
Cottingham	Hill	Reed (T)	Wise
Crawford	Hobbie	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Dill	Jones (F)	Roberts	—95

Nays:

Messrs.:	Cauthen	Naramore	Stubbs	
Bassett				—4

H. 3 INDEFINITELY POSTPONED

On motion of Mr. Cherner, the bill, H. 3, as amended, was indefinitely postponed.

Yeas 72; Nays 29.

Yeas:

Messrs.:	Boles	Cherner	Doss
Adams	Boutwell	Connell	Edwards
Agee	Bowers	Coshatt	Ellis
Baker	Carnes	Crawford	Erdreich
Bank	Carter	Cross	Falkenburg
Bassett	Casey	Crowe	Flippo
Benton	Cauthen	Dill	Goodwin

Gray (F)	McBride	Parker (T)	Stubbs
Grey (D)	McCluskey	Reed (T)	Taylor
Hale	Manley	Reid (R)	Timmons
Harris	May	Reynolds	Turnham
Headley	Meeks	Roberts	Waggoner
Hill	Merrill	St. John	Waldrop
Jackson	Mims	Smith (P)	Wallace
Jones (E)	Naramore	Snell	Warren
Jones (F)	Nettles	Stewart	Weeks
King	Owens	Stokes	Wise
Kinsey	Parker (H)	Straiton	Wynot
Lutz			

—72

Nays:

Mr. Speaker	Drake	Hearn	Robertson
Barkett	Easters	Lang	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	Mathews	Therrell
Chesnut	Gloor	O'Daniel	Turner
Collins	Grainger	Perloff	Williams
Cottingham	Hardin	Pruitt	Wood
Downing			

—29

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Grey (D) that the Journal show he inadvertently voted "Nay" on the substitute of Mr. Cauthen to the bill, H. 1, and would like to be recorded as desiring to vote "Yea".

And the bill:

H. 4. (With Amendments): To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Was taken up.

The question, then, was on the adoption of the amendment #1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 4 by deleting Section 4A in its entirety and inserting in lieu thereof the following:

"Section 4. A. Alabama A & M University: for the operation and maintenance of the institute at Huntsville ..... $2,704,682.00"

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Connell
Adams	Boles	Carter	Coshatt
Adwell	Boutwell	Casey	Cottingham
Agee	Bowers	Cauthen	Crawford
Baker	Brassell	Cherner	Cross
Bank	Burgess	Chesnut	Crowe
Barkett	Callahan	Collins	Dill

Doss	Headley	Merrill	Stewart
Downing	Hearn	Mims	Stokes
Drake	Hill	Naramore	Straiton
Easters	Hobbie	Nettles	Stubbs
Edwards	Jackson	Owens	Taylor
Ellis	Jones (E)	Parker (H)	Therrell
Erdreich	Jones (F)	Parker (T)	Timmons
Falkenburg	King	Perloff	Turner
Fite	Kinsey	Pruitt	Turnham
Flippo	Lang	Reed (T)	Waggoner
Gafford	Lutz	Reid (R)	Waldrop
Gloor	McBride	Reynolds	Wallace
Goodwin	McCluskey	Roberts	Warren
Grainger	McCorquodale	Robertson	Weeks
Gray (F)	Manley	Slate	Williams
Grey (D)	Mathews	Smith (K)	Wise
Hale	May	Smith (P)	Wynot
Hardin	Meeks	Snell	

—99

The question, then, was on the adoption of the amendment #2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 4 by striking Section 14 in its entirety and inserting in lieu thereof the following:

"Section 14.

(1) University of Alabama—for Gadsden Programs $100,000.00

(2) Jacksonville State University—for Gadsden Programs .. $100,000.00

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (E)	Roberts
Adams	Dill	Jones (F)	Robertson
Adwell	Doss	King	St. John
Agee	Downing	Kinsey	Slate
Baker	Drake	Lutz	Smith (K)
Bank	Easters	McBride	Smith (P)
Barkett	Edwards	McCluskey	Snell
Bassett	Erdreich	McCorquodale	Stewart
Benton	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Straiton
Bowers	Flippo	May	Stubbs
Brassell	Gafford	Meeks	Therrell
Burgess	Gloor	Merrill	Timmons
Callahan	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	Nettles	Waggoner
Casey	Grey (D)	Owens	Waldrop
Cauthen	Hale	Parker (H)	Wallace
Chesnut	Hardin	Parker (T)	Warren
Collins	Headley	Perloff	Weeks
Connell	Hearn	Pruitt	Williams
Coshatt	Hill	Reed (T)	Wise
Cottingham	Hobbie	Reid (R)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross			

—97

Mr. Mathews offered the following amendment to the bill, H. 4, as amended:

Amend H. B. 4 by adding after the word "education" in the caption thereof the following words:

"and Mental Health".

Further Amend the bill by adding after Section 33 thereof the following:

Section 34. SPECIAL MENTAL FUND:

For transfer to Special Mental Health Fund:

For the fiscal year ending September 30, 1972 $3,500,000.00

For the fiscal year ending September 30, 1973 1,000,000.00

Further Amend the bill by renumbering Sections 34, 35, 36, 37, and 38 as 35, 36, 37, 38 and 39.

AMENDMENT TABLED

On motion of Mr. Smith (P), the amendment offered by Mr. Mathews was tabled.

Yeas 60; Nays 38.

Yeas:

Messrs.:	Dill	Kinsey	Roberts
Adams	Doss	Lutz	St. John
Agee	Ellis	McBride	Smith (P)
Baker	Erdreich	McCluskey	Snell
Bassett	Falkenburg	Manley	Stewart
Benton	Flippo	Meeks	Stokes
Boles	Goodwin	Merrill	Straiton
Boutwell	Gray (F)	Mims	Stubbs
Bowers	Grey (D)	Naramore	Taylor
Carnes	Hale	Nettles	Timmons
Carter	Harris	Parker (H)	Waldrop
Cauthen	Hill	Parker (T)	Wallace
Cherner	Jones (E)	Reed (T)	Warren
Connell	Jones (F)	Reid (R)	Weeks
Cross	King	Reynolds	Wynot
Crowe			

—60

Nays:

Mr. Speaker	Crawford	Lang	Slate
Adwell	Downing	McCorquodale	Smith (K)
Bank	Drake	Mathews	Therrell
Barkett	Easters	May	Turner
Brassell	Fite	O'Daniel	Turnham
Callahan	Gafford	Owens	Waggoner
Casey	Grainger	Perloff	Williams
Chesnut	Hearn	Pruitt	Wise
Collins	Hobbie	Robertson	Wood
Cottingham	Jackson		

—38

Mr. Smith (P) offered the following amendment to the bill, H. 4, as amended:

Amend House Bill 4 by adding to Section 4 thereof the following new subsections R and S:

R. Alabama Special Mental Health Fund for transfer to the Medical College of Alabama, for salaries, stipends and scholarships in Psychiatry; and for the training of professional Mental Health personnel and psychiatric nurses. This transfer to the Special Mental Health fund is for the purpose of partially funding the appropriations heretofore made for such purposes by the Legislature, and is in lieu of an equal amount heretofore appropriated, and is not in addition to such appropriations heretofore made.

For the fiscal year ending September 30, 1972 $1,500,000.00

For the fiscal year ending September 30, 1973 1,500,000.00

S. All the revenues heretofore or hereafter paid into the Special Educational Trust Fund from the premium tax on nonprofit corporations organized pursuant to the provisions of Chapter 10, Article 3 of Title 28, Code of Alabama 1940 are hereby transferred to the Alabama Special Mental Health Fund for the current fiscal year, and for each fiscal year hereafter in which any such funds are paid into the Special Educational Trust Fund.

And the amendment was adopted.

Yeas 82; Nays 13.

Yeas:

Messrs.:	Crowe	Kinsey	Robertson
Adams	Dill	Lang	St. John
Agee	Doss	Lutz	Smith (P)
Baker	Ellis	McBride	Snell
Bank	Erdreich	McCluskey	Stewart
Bassett	Falkenburg	McCorquodale	Stokes
Benton	Flippo	Manley	Straiton
Boles	Gafford	May	Stubbs
Boutwell	Goodwin	Meeks	Therrell
Bowers	Gray (F)	Merrill	Timmons
Brassell	Grey (D)	Mims	Turner
Carnes	Hale	Naramore	Turnham
Carter	Hardin	Nettles	Waldrop
Casey	Harris	Owens	Wallace
Cauthen	Headley	Parker (H)	Warren
Cherner	Hearn	Parker (T)	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	Wood
Crawford	Jones (F)	Reynolds	Wynot
Cross	King	Roberts	—82

Nays:

Mr. Speaker	Drake	Grainger	Pruitt
Callahan	Easters	Mathews	Slate
Collins	Fite	O'Daniel	Smith (K)
Downing			—13

Mr. McCorquodale offered the following amendment to the bill, H. 4, as amended:

Amend House Bill 4 by striking Subsection G of Section 3 thereof and inserting in lieu thereof the following:

"G(1). Free Textbooks:		
For the fiscal year ending September 30, 1972:		
For salaries	38,000.00	
For other expenses	30,610.00	
For disbursements to local boards	50,000.00	
For the repair of used and the purchase of new textbooks	2,030,521.00	
Total		$2,149,131.00
For the fiscal year ending September 30, 1973:		
For salaries	40,000.00	
For other expenses	32,100.00	
For disbursements to local boards	52,500.00	
For the repair of used and the purchase of new textbooks	2,170,000.00	
Total		$2,294,600.00
G(2). For the fiscal year ending September 30, 1972:		
For the repair of used and the purchase of new textbooks	2,000,000.00	
For the fiscal year ending September 30, 1973:		
For the repair of used and the purchase of new textbooks	2,000,000.00	
(The above appropriation in Subsection G(2) shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.)"		

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Gray (F)
Adams	Carnes	Doss	Grey (D)
Adwell	Carter	Downing	Hale
Agee	Casey	Drake	Hardin
Baker	Cauthen	Easters	Harris
Bank	Chesnut	Edwards	Headley
Barkett	Collins	Ellis	Hearn
Bassett	Connell	Erdreich	Hill
Benton	Coshatt	Falkenburg	Jackson
Boles	Cottingham	Fite	Jones (E)
Boutwell	Crawford	Flippo	Jones (F)
Bowers	Cross	Goodwin	King
Brassell	Crowe	Grainger	Kinsey

Lang	O'Daniel	Slate	Turner
McBride	Owens	Smith (K)	Turnham
McCluskey	Parker (H)	Smith (P)	Waggoner
McCorquodale	Parker (T)	Snell	Waldrop
Manley	Perloff	Stewart	Wallace
Mathews	Pruitt	Stokes	Warren
May	Reed (T)	Straiton	Weeks
Meeks	Reid (R)	Stubbs	Williams
Merrill	Reynolds	Taylor	Wise
Mims	Roberts	Therrell	Wood
Naramore	Robertson	Timmons	Wynot
Nettles	St. John		

—98

Mr. Turner offered the following amendment to the bill, H. 4, as amended:

Amend H. B. 4 by adding at the end of Section 16 the following:

For salaries, other expenses and equipment purchases to be expended in accordance with Act No. 14, 1969 Special Session $113,000.00

This appropriation is conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

AMENDMENT TABLED

On motion of Mr. Cherner, the amendment was tabled.

Yeas 49; Nays 38.

Yeas:

Messrs.:	Crowe	Lutz	St. John
Adams	Dill	McBride	Slate
Agee	Doss	McCluskey	Smith (P)
Baker	Downing	May	Snell
Bassett	Ellis	Merrill	Stewart
Benton	Flippo	Mims	Straiton
Boutwell	Gafford	Naramore	Stubbs
Carter	Goodwin	Nettles	Taylor
Cherner	Hale	Parker (H)	Timmons
Connell	Hardin	Parker (T)	Warren
Coshatt	Hill	Reid (R)	Weeks
Crawford	Jones (E)	Reynolds	Wynot
Cross	King		

—49

Nays:

Mr. Speaker	Drake	Kinsey	Stokes
Adwell	Easters	Lang	Therrell
Boles	Edwards	McCorquodale	Turner
Brassell	Fite	O'Daniel	Turnham
Callahan	Gloor	Owens	Waldrop
Carnes	Grainger	Perloff	Wallace
Cauthen	Harris	Pruitt	Williams
Chesnut	Hearn	Robertson	Wise
Collins	Jackson	Smith (K)	Wood
Cottingham	Jones (F)		

—38

Mr. Lutz offered the following amendment to the bill, H. 4, as amended:

Delete Section 36 and renumber subsequent sections accordingly.

And the amendment was adopted.

Yeas 68; Nays 27.

Yeas:

Messrs.:	Dill	Lang	St. John
Adams	Doss	Lutz	Slate
Agee	Ellis	McBride	Smith (P)
Baker	Erdreich	McCluskey	Snell
Bank	Falkenburg	Manley	Stewart
Bassett	Flippo	May	Stokes
Benton	Gafford	Merrill	Straiton
Boutwell	Goodwin	Mims	Taylor
Brassell	Grainger	Naramore	Therrell
Carter	Gray (F)	Nettles	Timmons
Cauthen	Grey (D)	Owens	Waldrop
Cherner	Hale	Parker (H)	Wallace
Connell	Harris	Parker (T)	Warren
Coshatt	Hearn	Reed (T)	Weeks
Cottingham	Hill	Reid (R)	Wise
Crawford	Jones (E)	Reynolds	Wood
Cross	King	Roberts	Wynot
Crowe			—68

Nays:

Mr. Speaker	Downing	McCorquodale	Smith (K)
Barkett	Drake	Mathews	Stubbs
Bowers	Easters	Meeks	Turner
Callahan	Fite	O'Daniel	Turnham
Carnes	Jackson	Perloff	Waggoner
Chesnut	Jones (F)	Pruitt	Williams
Collins	Kinsey	Robertson	—27

Mr. Robertson offered the following amendment # 1 to the bill, H. 4, as amended.

Amend H. B. 4 by striking from Section 29.A (4) the words "For the fiscal year ending September 30, 1973, only."

AMENDMENT TABLED

On motion of Mr. Cherner, the amendment was tabled.

Yeas 50; Nays 41.

Yeas:

Messrs.:	Carter	Dill	Hardin
Adams	Cauthen	Ellis	Hill
Agee	Cherner	Erdreich	King
Bassett	Connell	Flippo	Kinsey
Benton	Coshatt	Goodwin	Lutz
Boles	Cottingham	Grainger	McBride
Boutwell	Cross	Gray (F)	McCluskey
Brassell	Crowe	Hale	May

Merrill	Reed (T)	Smith (P)	Waldrop	
Mims	Reid (R)	Snell	Wallace	
Naramore	Reynolds	Straiton	Warren	
Nettles	St. John	Stubbs	Wynot	
Parker (H)	Slate	Taylor		—50

Nays:

Mr. Speaker	Downing	Lang	Smith (K)	
Adwell	Drake	McCorquodale	Stewart	
Bank	Easters	Manley	Stokes	
Barkett	Falkenburg	Mathews	Therrell	
Bowers	Fite	O'Daniel	Timmons	
Callahan	Harris	Owens	Turner	
Carnes	Hearn	Parker (T)	Turnham	
Chesnut	Hobbie	Perloff	Weeks	
Collins	Jackson	Pruitt	Williams	
Crawford	Jones (F)	Robertson	Wood	
Doss				—41

Mr. Robertson offered the following amendment #2 to the bill, H. 4, as amended:

Amend H. B. 4 by striking from Section 29.A (5) the words "For the fiscal year ending September 30, 1973, only."

AMENDMENT TABLED

On motion of Mr. Cherner, the amendment was tabled.

Yeas 43; Nays 42.

Yeas:

Messrs.:	Crowe	King	St. John	
Adams	Dill	Lutz	Smith (P)	
Agee	Ellis	McBride	Snell	
Bassett	Flippo	Merrill	Straiton	
Boles	Goodwin	Naramore	Stubbs	
Boutwell	Grainger	Nettles	Taylor	
Brassell	Gray (F)	Parker (H)	Turnham	
Cauthen	Grey (D)	Reed (T)	Waggoner	
Cherner	Hale	Reid (R)	Wallace	
Cottingham	Hill	Reynolds	Warren	
Cross	Jones (E)	Roberts	Wynot	
				—43

Nays:

Mr. Speaker	Crawford	Kinsey	Robertson	
Adwell	Doss	Lang	Slate	
Bank	Drake	McCluskey	Smith (K)	
Barkett	Easters	McCorquodale	Stokes	
Bowers	Edwards	Meeks	Therrell	
Burgess	Falkenburg	O'Daniel	Timmons	
Callahan	Fite	Owens	Turner	
Carnes	Hardin	Parker (T)	Waldrop	
Carter	Harris	Perloff	Williams	
Collins	Hearn	Pruitt	Wood	
Connell	Jackson			—42

And the bill, H. 4, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Roberts
Adams	Crowe	Jones (F)	Robertson
Adwell	Dill	King	St. John
Agee	Doss	Kinsey	Slate
Baker	Downing	Lang	Smith (K)
Bank	Drake	Lutz	Smith (P)
Barkett	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McCorquodale	Stokes
Boles	Erdreich	Manley	Straiton
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Gafford	Merrill	Timmons
Callahan	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	Nettles	Waggoner
Casey	Grey (D)	O'Daniel	Waldrop
Cauthen	Hale	Owens	Wallace
Cherner	Hardin	Parker (H)	Warren
Chesnut	Harris	Parker (T)	Weeks
Collins	Headley	Perloff	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford	Jackson	Reynolds	—103

And the bill:

H. 5. To amend Section 910, Title 51, Code of Alabama of 1940, as heretofore amended, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

Was taken up.

H. 5 INDEFINITELY POSTPONED

On motion of Mr. Williams, the bill, H. 5, was indefinitely postponed.

Yeas 96; Nays 4.

Yeas:

Messrs.:	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Agee	Carnes	Crowe	Flippo
Baker	Carter	Dill	Gafford
Bank	Casey	Doss	Gloor
Barkett	Cauthen	Downing	Goodwin
Bassett	Cherner	Drake	Grainger
Benton	Chesnut	Easters	Gray (F)
Boles	Connell	Edwards	Grey (D)
Boutwell	Coshatt	Ellis	Hale
Bowers	Cottingham	Erdreich	Hardin

Harris	Manley	Reid (R)	Taylor	
Headley	May	Reynolds	Therrell	
Hearn	Meeks	Roberts	Timmons	
Hill	Merrill	Robertson	Turnham	
Jackson	Mims	St. John	Waggoner	
Jones (E)	Naramore	Slate	Waldrop	
Jones (F)	Nettles	Smith (K)	Wallace	
King	Owens	Smith (P)	Warren	
Kinsey	Parker (H)	Snell	Weeks	
Lang	Parker (T)	Stewart	Williams	
Lutz	Perloff	Stokes	Wise	
McBride	Pruitt	Straiton	Wood	
McCluskey	Reed (T)	Stubbs	Wynot	
McCorquodale				—96

Nays:

Mr. Speaker	Callahan	Collins	O'Daniel	
				—4

And the bill:

H. 6. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Was taken up.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Messrs. Jones (F) and Harris for their names to be added as co-sponsors to the bill, H. 6.

Mr. Turnham offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 366 of Title 52 of the Code of Alabama of 1940, as amended be and is hereby amended to read as follows:

§ 366. BENEFITS. (1) (a) Any member who withdraws from service upon or after attainment of age sixty may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof he desires to be retired, provided that any such member who became a member on or after October 1, 1963 shall have completed ten or more years of creditable service. (b) Any member who has attained age sixty and has previously withdrawn from service may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member shall have completed at the time of his withdrawal from service, the requirements established by the Board of Con-

trol for eligibility for deferred benefits pursuant to Section 364 of this title. (c) Any teacher in service who has attained age seventy shall be retired, or shall withdraw from service, forthwith, provided that with the approval of his employer, he may remain in service until the end of the ten current school year which shall be no later than the June 30 following the date on which he attains age seventy. (2) Upon retirement from service a member shall receive a service retirement allowance which shall consist of: (a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and (b) a pension which shall be equal to the annuity allowable at age of retirement, but not to exceed an annuity allowable at age sixty-five computed on the basis of contributions made prior to the attainment of age sixty-five; and (c) if he has a prior service certificate in full force and effect an additional pension which shall be equal to the annuity which would have been provided at age of retirement, but not to exceed an annuity allowable at age sixty-five by twice the contributions which he would have made during the period of prior service with which he is credited, had the system been in operation and had he contributed thereunder. In lieu of a determination of the actual compensation of the members that was received during such prior service, the Board of Control may use for the purposes of this chapter the compensation rates which, if they had progressed with the rates of salary increase shown in the tables as prescribed in Section 367, subsection (13), of this title, would have resulted in the same average salary of the member for the five years immediately preceding the date of establishment as the records show the member actually received; and (d) the annual service retirement pension payable to a member retiring on or after October 1, 1971 shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of his creditable service, provided that no member shall receive in excess of (80) eighty per centum of average final compensation except as otherwise provided by the Legislature. Or (ii) if he became a member before October 1, 1971, $72.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. (2¼) Upon the application of a member in service or of his employer, any member who has had ten or more years of creditable service may be retired by the Board of Control on a disability retirement allowance not less than thirty nor more than ninety days next following the date of filing such an application; provided that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. (2½) Upon retirement for disability a member shall receive a service retirement allowance if he has attained age 60, otherwise he shall receive a disability retirement allowance which shall consist of (a) an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement and (b) a pension which shall be equal to the pension that would have been payable under paragraphs (b) and (c) of Subsection (2) of this Section upon service retirement at age 60 had the member continued in service to said age without change in compensation, reduced by one fourth of one per centum for each month by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum. The annual disability retirement pension shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of creditable service reduced by one fourth of one per centum for each month

by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum or (ii) if he became a member before October 1, 1971, $54.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. (2¾) (a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter the Board of Control may, and upon his application shall require any disability beneficiary who has not yet attained age sixty to undergo a medical examination, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon, by a physician of or designated by the Medical Board. Should any disability beneficiary who has not yet attained age sixty refuse to submit to such medical examination, his pension may be discontinued until his withdrawal of such refusal and should his refusal continue for one year, all his rights in and to his pension may be revoked by the Board of Control. (b) Should the Medical Board report and certify to the Board of Control that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the Board of Control concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation. (3) (a) Should a member cease to be a teacher except by death or by retirement under the provisions of this chapter, the contributions standing to the credit of his individual account in the annuity savings fund shall be paid to him upon demand, and in addition to such payment there shall be paid five-tenths of the interest accumulations standing to the credit of his individual account if he shall have not less than three but less than sixteen years of membership service, six-tenths of such interest accumulations if he shall have not less than sixteen, but less than twenty-one years of membership service, seven-tenths of such interest accumulations if he shall have not less than twenty-one but less than twenty-six years of membership service and eight-tenths of such interest accumulations if he shall have not less than twenty-six years of membership service. (b) In case of the death of a member eligible for service retirement pursuant to Subsection (1) of this section, an allowance shall be paid to the surviving spouse in an amount that would have been payable if the member had retired immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section; or (c) In case of the death of a member not eligible for service retirement, after completion of twenty-five years of creditable service, an allowance shall be paid to the surviving spouse in an amount that would have been payable if the member had retired for disability immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section, or if the surviving spouse desires he may choose to receive the accumulated contributions of the member in lieu of the allowance provided under Option 3, plus an amount equal to the accumulated contributions of the member not to exceed $5,000.00; or (d) Upon the death of a member on account of whom no survivor allowance is payable under (b) or (c) above the accumulated contributions of the member plus an amount equal to the accumulated contributions not to exceed $5,000.00 shall be paid to his estate, or to such person as he shall have nominated by written designation duly executed and filed with the Board of Control. (4) With the provision that no election of an

option shall be effective until the end of the month following the effective date of retirement, and that should a beneficiary die before his first benefit payment is due at the end of the month following the effective date of retirement, he shall be considered as an active member at the time of death, any member may elect prior to retirement to receive, in lieu of his retirement allowance payable throughout life the actuarial equivalent at that time of his retirement allowance in a reduced retirement allowance payable throughout life with the provision that: Option I. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control; or Option 2. Upon his death, his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 3. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Control. (5) (a) Should any beneficiary be restored to active service from service retirement, or from disability retirement on or after attainment of age fifty, his retirement allowance shall be suspended until he again withdraws from service, he shall not again become a member, nor shall he make contributions, except that should such beneficiary, who has been restored to active service, continue in service for a period of five or more years from the date of his reentry into active service, he may request the Board of Control to allow him to again become a member of the Retirement System. The Board of Control may grant the request for restoration to membership provided such beneficiary whose retirement allowance has been suspended repays to the system all monies received by him as benefits during any periods subsequent to the date of his re-entry into active service and provided further that he makes a contribution equal to the amount he would have contributed had he been a member during the period of his restoration to active service on a suspended allowance basis, together with the interest which would have been credited to the contributions on account of such period of restoration up to the date such contribution is made. (b) Should any beneficiary on disability retirement be restored to active service before reaching age fifty, he shall again become a member of the Retirement System and shall make contributions. (6) (a) All retirement allowance payments due on or after October 1, 1971 to members who retired prior to said date shall be redetermined as if the provisions of subsection (2) and (2½) of this section which became effective on said date were in effect at the time the member retired, provided that the annual retirement allowance of any member who retired on or before January 1, 1956 shall be not less than $79.20 multiplied by the number of years of his creditable service not in excess of thirty years, in the case of service retirement, or $59.40 multiplied by the number of years of creditable service not in excess of thirty years, in the case of disability retirements. Any increase provided in the retirement allowance payment under this subsection (6) for a member who retired under the provisions of any optional benefit elected pursuant to subsection (4) of this section shall accrue only to the retired member, and no person designated to receive any payments after the death of a retired mem-

ber under the provisions of any such optional benefit shall receive any increase in such payments under this subsection. (b) Any person who served at least thirty years as a teacher in the public schools of Alabama and was never a member of the system and who, prior to October 1, 1963, was in receipt of a benefit for old age assistance pursuant to subsection (1) and (2) of Section 1 of Act 116, approved August 24, 1959 shall be entitled to receive an annual retirement allowance of $2,376.00 from the System, effective as of October 1, 1969. (c) Prior to October 31, 1971 any beneficiary may elect to leave on deposit with the system all or a specified part of any increase in his monthly retirement allowance payments arising in accordance with paragraph (a) or (b) of this subsection. The portion of each monthly payment left in the system in accordance with such election shall be credited, together with regular interest thereon, to the individual account of such beneficiary. Upon the death of such beneficiary the total amount standing to his credit, including regular interest to the date of death, shall be paid in a lump sum to his legal representative or to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Control.

Section 2. That Section 368 of Title 52 of the Code of Alabama of 1940, as amended be and is hereby amended to read as follows:

§ 368. MANAGEMENT OF FUNDS. (1) (a) The Board of Control shall be the trustees of the several funds of the Teachers' Retirement System created by this Chapter as provided in Section 369 of this title, and shall have full power to invest and re-invest such Funds, through its Secretary-Treasurer, in such classes of bonds, mortgages, common and preferred stocks, shares of investment companies or mutual funds, or other investments, as the Board of Control may from time to time approve, subject to all the terms, conditions, limitations and restrictions imposed by the laws of Alabama upon domestic life insurance companies in the making of their investments; and subject to like terms, conditions, limitations and restrictions the Board of Control, through its Secretary-Treasurer, shall have full power to hold, purchase, sell, assign, transfer and dispose of any such investments in which such Funds created herein shall have been invested, as well as the proceeds of said investments and any monies belonging to such Funds. No purchase of stocks or other so-called equity securities shall be made for such Funds which shall cause the total of such stocks or equity securities held in such Funds at any one time to exceed 20% of the total book value of all investments held in such Funds. (b) The Secretary-Treasurer shall have the authority and it shall be his duty to carry out the investment policies fixed by the Board of Control, and pursuant thereto he shall examine all offers of investments made to such Funds, shall initiate inquiries as to available investments, therefor, shall review periodically the investment quality and desirability of retention of investments held, and shall from time to time make such purchases and sales of investments as he shall deem to the best interests of such Funds and as the Investment Committee hereinafter provided for, and as the consultant to the Secretary-Treasurer, if any, appointed by the Board of Control hereunder, to the extent of the purpose for which it is appointed, shall approve. (c) The Board of Control shall elect an Investment Committee which shall consist of three members of the Board, one of whom shall be the Director of Finance. The Investment Committee shall consider all investment recommendations made by the Secretary-Treasurer and shall either approve or disapprove the same. The Investment Committee may act through the affirmative vote of any two of its members, except however that in the event said investment in any one enterprise exceeds the sum of five hundred thousand dollars ($500,000.00) an affirmative vote of all three (3) members of the investment

committee must be had. Approvals may be secured informally in advance but shall in any event be confirmed by written authorization to be attached to the invoice of the transaction. (d) The Board of Control may appoint and employ as consultant to the Secretary-Treasurer, in the purchase, sale and review of investments of said funds, to such extent as the Board may designate, a bank having its principal office in the State of Alabama, having capital, surplus and undivided profits of not less than Three Million Dollars, and having an organized investment department. The Bank so apppointed shall not sell securities to the Retirement System, other than U. S. Government Securities for which no commission shall be charged. (e) The Secretary-Treasurer shall report to the Board of Control all purchases and sales of investments made by him pursuant hereto at least once semi-annually. (2) The Board of Control shall allow annually regular interest on the mean amount for the preceding year in each of the funds, with the exception of the expense fund. The amounts so allowed shall be due and payable to said funds and shall be credited annually thereto by the Board of Control from interest and other earnings on the monies of the retirement system. Any additional amount required to meet the interest on the funds of the retirement system shall be paid from the pension accumulation fund, and any excess of earnings over such amount required shall be paid to the pension accumulation fund. Regular interest shall mean such per centum rate or rates to be compounded annually as shall be set from time to time by the Board of Control, such rate or rates to be limited to a minimum of three per centum and a maximum of four and three-fourths percentum. (3) Monies accruing to the annuity savings fund, the annuity reserve fund, the pension accumulation fund, and the pension reserve funds, shall be certified by the Secretary-Treasurer for deposit in the state treasury to the credit of the Teachers' Retirement System. All monies provided in accordance with the provisions of this chapter for Administrative expense shall be certified for deposit in the state treasury to the credit of the Teachers' Retirement System Expense Fund. All payments from said funds shall be made by the State Treasurer on warrants drawn by the State Comptroller upon vouchers signed by two persons designated by the Board of Control. A duly attested copy of a resolution of the Board of Control designating such persons and bearing on its face specimen signatures of such persons shall be filed with the State Comptroller as his authority for drawing warrants upon such vouchers. No voucher shall be drawn unless it has previously been authorized by resolution of the Board of Control or included in the budget adopted by the Board. (4) Except as otherwise herein provided, no member of the Board of Control and no employee of the Board shall have any direct interest in the gains or profits of any investment made by the Board, nor as such receive any pay or emolument for his services. No member or employee of the Board of Control shall, directly or indirectly, for himself or as an agent, in any manner use the same, except to make such current and necessary payments as are authorized by the Board; nor shall any member or employee of the Board of Control become an endorser or surety or in any manner an obligor for monies loaned or borrowed from the Board.

Section 3. APPROPRIATION. There is hereby appropriated from any monies in the Alabama Special Educational Trust Fund the amount of $7,448,000.00 for the fiscal year beginning October 1, 1971 and $7,828,000.00 for the fiscal year beginning October 1, 1972 for the purpose of carrying out the provisions of this Act. Thereafter such amounts as are necessary shall be included in the biennial appropriation Bill which is submitted to the Legislature under the provisions of Section 369 of Title 52 of the Code of Alabama of 1940 as amended.

Section 4. This Act shall become effective October 1, 1971.

MOTION TO TABLE LOST

The motion of Mr. Turner to table the substitute offered by Mr. Turnham was lost.

Yeas 26; Nays 73.

Yeas:

Mr. Speaker	Gloor	Parker (T)	Stewart
Cherner	Grainger	Perloff	Stokes
Dill	Hearn	Pruitt	Therrell
Downing	McCorquodale	Roberts	Turner
Drake	Naramore	Smith (K)	Williams
Fite	Nettles	Snell	Wood
Gafford	O'Daniel		—26

Nays:

Messrs.:	Chesnut	Hardin	Reed (T)
Adams	Collins	Headley	Reid (R)
Adwell	Connell	Hill	Reynolds
Agee	Coshatt	Hobbie	Robertson
Baker	Cottingham	Jackson	St. John
Bank	Crawford	Jones (E)	Slate
Barkett	Cross	Jones (F)	Smith (P)
Bassett	Crowe	King	Straiton
Benton	Doss	Kinsey	Stubbs
Boles	Easters	Lang	Timmons
Boutwell	Edwards	Lutz	Turnham
Bowers	Ellis	McBride	Waggoner
Brassell	Erdreich	Manley	Waldrop
Burgess	Falkenburg	May	Wallace
Callahan	Flippo	Meeks	Warren
Carnes	Goodwin	Merrill	Weeks
Carter	Gray (F)	Mims	Wise
Casey	Grey (D)	Owens	Wynot
Cauthen	Hale		—73

The question, then was on the adoption of the substitute offered by Mr. Turnham, and the substitute was adopted.

Yeas 90; Nays 12.

Yeas:

Messrs.:	Burgess	Crowe	Gray (F)
Adams	Callahan	Doss	Grey (D)
Adwell	Carnes	Downing	Hale
Agee	Carter	Drake	Hardin
Baker	Casey	Easters	Harris
Bank	Cauthen	Edwards	Headley
Barkett	Chesnut	Ellis	Hearn
Bassett	Collins	Erdreich	Hill
Benton	Connell	Falkenburg	Hobbie
Boles	Coshatt	Fite	Jackson
Boutwell	Cottingham	Flippo	Jones (E)
Bowers	Crawford	Goodwin	Jones (F)
Brassell	Cross	Grainger	King

Kinsey	Merrill	St. John	Waggoner	
Lang	Mims	Slate	Waldrop	
Lutz	Owens	Smith (P)	Wallace	
McBride	Parker (T)	Snell	Warren	
McCluskey	Perloff	Stewart	Weeks	
McCorquodale	Reed (T)	Straiton	Williams	
Manley	Reid (R)	Stubbs	Wise	
Mathews	Reynolds	Taylor	Wood	
May	Roberts	Therrell	Wynot	
Meeks	Robertson	Turnham		—90

Nays:

Mr. Speaker	Gafford	O'Daniel	Stokes	
Cherner	Naramore	Pruitt	Timmons	
Dill	Nettles	Smith (K)	Turner	
				—12

And the bill, H. 6, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 7.

Yeas:

Messrs.:	Cross	Hobbie	Roberts	
Adams	Crowe	Jackson	Robertson	
Adwell	Dill	Jones (E)	St. John	
Agee	Doss	Jones (F)	Slate	
Baker	Downing	King	Smith (P)	
Bank	Drake	Kinsey	Snell	
Barkett	Easters	Lang	Stewart	
Bassett	Edwards	Lutz	Stokes	
Benton	Ellis	McBride	Straiton	
Boles	Erdreich	McCluskey	Stubbs	
Boutwell	Falkenburg	McCorquodale	Taylor	
Bowers	Fite	Manley	Therrell	
Brassell	Flippo	Mathews	Timmons	
Burgess	Gloor	May	Turner	
Callahan	Goodwin	Meeks	Turnham	
Carnes	Grainger	Merrill	Waggoner	
Carter	Gray (F)	Mims	Waldrop	
Casey	Grey (D)	Naramore	Wallace	
Cauthen	Hale	Owens	Warren	
Collins	Hardin	Parker (T)	Weeks	
Connell	Harris	Perloff	Wise	
Coshatt	Headley	Reed (T)	Wood	
Cottingham	Hearn	Reid (R)	Wynot	
Crawford	Hill	Reynolds		—94

Nays:

Mr. Speaker	Gafford	O'Daniel	Smith (K)	
Cherner	Nettles	Pruitt		—7

And the bill:

H. 7. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public

School and College Authority to sell and issue additional bonds for the purpose of reconstruction, improvement, alteration, repair and renovation of facilities to eliminate existing or potential fire hazards so as to make such facilities fireproof at Alabama State Hospitals and the Partlow State School and Hospital; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (E)	Reynolds
Adwell	Dill	Jones (F)	Roberts
Agee	Doss	King	Robertson
Baker	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	Manley	Stokes
Bowers	Fite	Mathews	Straiton
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Goodwin	Merrill	Therrell
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Cherner	Hardin	Owens	Warren
Chesnut	Harris	Parker (H)	Weeks
Collins	Headley	Parker (T)	Williams
Connell	Hearn	Perloff	Wise
Coshatt	Hill	Pruitt	Wood
Cottingham	Hobbie	Reed (T)	Wynot
Crawford			—101

And the bill:

H. 8. To amend Sections 24 to 27 inclusive of Act No. 2295, of the 1971 Regular Session of the Alabama Legislature relating to appropriations for capital outlay purposes.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Barkett	Burgess	Cherner
Adams	Bassett	Callahan	Chesnut
Adwell	Benton	Carnes	Collins
Agee	Boles	Carter	Connell
Baker	Boutwell	Casey	Coshatt
Bank	Brassell	Cauthen	Cottingham

Crawford	Hardin	Merrill	Smith (P)
Cross	Harris	Mims	Stewart
Crowe	Headley	Naramore	Stokes
Dill	Hearn	Nettles	Straiton
Doss	Hill	O'Daniel	Stubbs
Downing	Hobbie	Owens	Taylor
Drake	Jackson	Parker (H)	Therrell
Easters	Jones (E)	Parker (T)	Timmons
Edwards	Jones (F)	Perloff	Turner
Ellis	Kinsey	Pruitt	Waggoner
Erdreich	Lang	Reed (T)	Waldrop
Falkenburg	Lutz	Reid (R)	Wallace
Flippo	McBride	Reynolds	Warren
Gafford	McCluskey	Roberts	Weeks
Goodwin	McCorquodale	Robertson	Williams
Grainger	Manley	St. John	Wise
Gray (F)	Mathews	Slate	Wood
Grey (D)	May	Smith (K)	Wynot
Hale	Meeks		

—98

And the bill:

H. 11. Relating to corporations organized for the purpose of establishing regional mental health programs and facilities; to exempt from all taxation such corporations which are certified or licensed by the State Board of Health under the provisions of Act No. 881, adopted at the 1965 Regular Session of the Legislature of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reid (R)
Adams	Crowe	Jackson	Reynolds
Adwell	Dill	Jones (E)	Roberts
Agee	Doss	Jones (F)	Robertson
Baker	Downing	King	St. John
Bank	Drake	Kinsey	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	Manley	Stokes
Brassell	Fite	Mathews	Straiton
Burgess	Flippo	May	Stubbs
Callahan	Gafford	Meeks	Taylor
Carnes	Gloor	Merrill	Therrell
Carter	Goodwin	Mims	Timmons
Casey	Grainger	Naramore	Turner
Cauthen	Gray (F)	Nettles	Waggoner
Cherner	Grey (D)	O'Daniel	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker (H)	Warren
Connell	Harris	Parker (T)	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Pruitt	Wood
Crawford	Hill	Reed (T)	Wynot

—100

And the bill:

H. 25. To amend Section 1 of Act No. 604, S. 93, approved August 29, 1969, 1969 Regular Session (Acts of 1969, p. 1092) entitled, "An Act Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail, so as to make said Act apply to students attending educational institutions located outside the county of their residence."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Reynolds
Adams	Crowe	Kinsey	Roberts
Adwell	Dill	Lang	St. John
Agee	Doss	Lutz	Slate
Baker	Downing	McBride	Smith (K)
Bank	Drake	McCluskey	Smith (P)
Barkett	Easters	McCorquodale	Snell
Bassett	Edwards	Manley	Stewart
Benton	Ellis	Mathews	Stokes
Boles	Erdreich	May	Straiton
Boutwell	Falkenburg	Meeks	Stubbs
Brassell	Flippo	Merrill	Taylor
Burgess	Goodwin	Mims	Therrell
Callahan	Grainger	Naramore	Timmons
Carnes	Gray (F)	Nettles	Turner
Carter	Hardin	O'Daniel	Waggoner
Casey	Harris	Owens	Waldrop
Cherner	Headley	Parker (H)	Wallace
Chesnut	Hearn	Parker (T)	Warren
Collins	Hill	Perloff	Williams
Connell	Hobbie	Pruitt	Wise
Coshatt	Jackson	Reed (T)	Wood
Cottingham	Jones (E)	Reid (R)	Wynot
Crawford	Jones (F)		—94

CO-SPONSOR ADDED

Unanimous consent was granted Mr. Harris for his name to be added as co-sponsor to the bill, H. 25.

And the bill:

H. 71. To repeal section 506, Act No. 1407, S. 414, Regular Session 1971, entitled "Alabama Uniform Controlled Substances Act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Bank	Boles	Carnes
Adams	Barkett	Boutwell	Carter
Agee	Bassett	Brassell	Casey
Baker	Benton	Callahan	Cauthen

Cherner	Goodwin	McCorquodale	Smith (K)	
Chesnut	Grainger	Manley	Smith (P)	
Collins	Gray (F)	May	Snell	
Connell	Grey (D)	Merrill	Stewart	
Coshatt	Hale	Mims	Stokes	
Cottingham	Hardin	Naramore	Straiton	
Crawford	Harris	Nettles	Stubbs	
Cross	Headley	O'Daniel	Taylor	
Crowe	Hearn	Owens	Therrell	
Dill	Hill	Parker (H)	Timmons	
Doss	Hobbie	Parker (T)	Turner	
Downing	Jackson	Perloff	Waggoner	
Drake	Jones (E)	Pruitt	Waldrop	
Easters	Jones (F)	Reed (T)	Wallace	
Edwards	King	Reid (R)	Warren	
Ellis	Kinsey	Reynolds	Williams	
Erdreich	Lang	Roberts	Wise	
Falkenburg	Lutz	Robertson	Wood	
Flippo	McBride	St. John	Wynot	
Gloor	McCluskey	Slate		—95

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 1. Relating to the jury commission in all counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; providing for the number, terms, and compensation of the members of such commission.

Also:

By Mr. Lybrand:

S. 9. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Also:

By Mr. Harris:

S. 2. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis, providing retroactive effect to September 1, 1971.

Also:

By Mr. Hammond:

S. 15. Relating to DeKalb County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of man-

aging cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act No. 78, S. 72, Special Session 1961 (Acts of 1961, p. 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such board pursuant to said Act. The following words and phrases when used in this Act shall have the meanings ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended: "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct this business entirely within DeKalb County shall be licensed by the State board of cosmetology as a managing cosmetologist without having served any time as a licensed cosmetologist in a registered beauty shop or school of cosmetology prior to application for such license, provided, such applicant complies with all other requirements for such license and in lieu of having completed the required time and studies for a complete course of cosmetology of not less than 1200 hours of continuous training, not to exceed more than eight hours in any one day, has completed such required time and studies for 1200 hours of continuous training, not to exceed more than eight hours in any one day.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as an apprentice in a duly registered beauty shop in DeKalb County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating per practice of cosmetology; however the provisions of this Act shall supersede as to DeKalb County the provisions of any other law, general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p 1955) conflicts with this Act it is superseded as to DeKalb County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 14, October 21, October 28, and November 4, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me November 11, 1971.

MARY RUTH BROWN,
Notary Public.

Also:

By Mr. Hammond:

S. 16. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act No. 78, S. 72, Special Session 1961 (Acts of 1961, p. 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such board pursuant to said Act. The following words and phrases when used in this Act shall have the meanings ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended: "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct his business entirely within Jackson County shall be licensed by the state board of cosmetology as a managing cosmetologist without having served any time as a licensed cosmetologist in a registered beauty shop or school of cosmetology prior to application for such license, provided, such applicant complies with all other requirements for such license and in lieu of having completed the required time and

studies for a complete course of cosmetology of not less than 1200 hours of training, not to exceed more than eight hours in any one day, has completed such required time and studies for 1200 hours of training, not to exceed more than eight hours in any one day.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as an apprentice in a duly registered beauty shop in Jackson County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating the practice of cosmetology; however the provisions of this Act shall supersede as to Jackson County the provisions of any other law general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p. 1955) conflicts with this Act it is superseded as to Jackson County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 17, 24, 31, and Nov. 7, all in the year 1971.

JAMES K. HARKNESS.

Sworn to and subscribed before me November 11, 1971.

EDNA KIRBY,
Bookkeeper.

My Commission Expires Sept. 17, 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 1. Standing Committee on Local Legislation No. 1.

S. 9. Standing Committee on Local Legislation No. 1.

S. 2. Standing Committee on Local Legislation No. 1.

S. 15. Standing Committee on Local Legislation No. 1.

S. 16. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs: Fine, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder, and Wilson:

S. J. R. 14. WHEREAS, Jo Anne Foshee has today given birth to a son, John, weighing a whopping 9 pounds, 5 ounces; and

WHEREAS, Young Master Foshee came into this world almost as big as his proud father; and

WHEREAS, The ten-year interval since their last offspring suggests that John arrived "with all deliberate speed"; and

WHEREAS, Our friend and colleague, Crum, can claim two major accomplishments in the year 1971: a peanut crop and a son, both big and fine; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING, That we heartily congratulate Jo Anne and Crum Foshee on their fine crop, and we welcome John Foshee to Red Level, the 20th Senatorial District, and the Great State of Alabama.

BE IT FURTHER RESOLVED, That this day, November 17, 1971, be proclaimed "John Foshee Day" in the Legislature of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 14, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 2. CREATING A SCIENCE, ENGINEERING, AND TECHNOLOGY STUDY COMMISSION

WHEREAS, Applications of science, engineering, and technology play such an important part in the continuing development of Alabama, and

WHEREAS, there is increasing public recognition of the significant influence of science and technology on the lives of all Alabamians, and

WHEREAS, science and technology might be better utilized to enhance economic development and improve the quality of life, and

WHEREAS, more effective use of technological innovations by state and local governments may be possible, and

WHEREAS, there is a need to improve coordination and communication between state government and the engineering and scientific communities, and

WHEREAS, identification of opportunities arising from new developments in science and technology which have potential benefits for the state and its citizens is important to our growth, and

WHEREAS, state government must take a leading role in stimulating development through greater utilization of science and technology and must encourage the best use of science and technology for the benefit of the people of Alabama; now therefore

BE IT RESOLVED, BOTH HOUSES CONCURRING, That there immediately be created a Science, Engineering, and Technology Study Commission to make a recommendation to the Legislature and Governor regarding the development of more effective means for providing scientific, engineering, and technical assistance and advice to the Legislative and Executive Branches to the end of making better use of scientific, engineering, and technical resources which are available to the state.

BE IT FURTHER RESOLVED, That the Science, Engineering, and Technology Study Commission be composed of twelve knowledgeable and qualified members, as follows: two members of the Senate chosen by the President of the Senate; two members of the House of Representatives chosen by the Speaker of the House; one representative of the Alabama Development Office appointed by the Director of the Alabama Development Office; one representative of the Department of Conservation appointed by the Director of Conservation; and six members at large appointed by the Governor, one representing industry and five representing the scientific and engineering community, one of whom shall be Chairman of the Commission.

BE IT FINALLY RESOLVED, That the Commission shall report its findings and recommendations to the Governor, the Lieutenant Governor and to both houses of the Legislature of the State of Alabama not later than June 1, 1972.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 2, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H. J. R. 15. Expressing full faith and confidence in Representative Ralph Reid.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. May:

H. J. R. 16. COMMENDING THE W. S. NEAL FOOTBALL TEAM

WHEREAS, The W. S. Neal Football Team of East Brewton, Alabama, has completed a most highly successful season in which they won ten games and lost none; and

WHEREAS, The W. S. Neal Football Team has had its first undefeated season in thirty-two years of football; and

WHEREAS, The W. S. Neal Football Team is entering the Class 3-A Playoff for the State Championship for the second consecutive year; Now Therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extend to The Football Team; Head Coach, David Salter, and his Assistants; Principal Bernie Raines, the Faculty and Student Body its heartiest congratulations and best wishes for continued success, and that a copy of this Resolution be forwarded to each of the above named persons.

On motion of Mr. May, the rules were suspended and the resolution, H. J. R. 16, was adopted.

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 2:00 o'clock p. m., Thursday, November 18, 1971.

Yeas 66; Nays 18.

Yeas:

Mr. Speaker	Agee	Barkett	Benton
Adams	Baker	Bassett	Boles

Bowers	Falkenburg	Mims	Smith (P)
Brassell	Gafford	Naramore	Snell
Carter	Gloor	Nettles	Stokes
Casey	Grey (D)	O'Daniel	Straiton
Cherner	Headley	Owens	Stubbs
Chesnut	Hill	Parker (H)	Therrell
Collins	Hobbie	Parker (T)	Timmons
Connell	Jackson	Reid (R)	Turner
Coshatt	Jones (E)	Reynolds	Turnham
Cottingham	Jones (F)	Roberts	Waggoner
Crowe	Kinsey	Robertson	Warren
Downing	McCorquodale	St. John	Williams
Easters	Manley	Slate	Wood
Edwards	Mathews	Smith (K)	Wynot
Erdreich	Merrill		—66

Nays:

Messrs.:	Cross	Hale	May
Adwell	Doss	Harris	Perloff
Boutwell	Ellis	Hearn	Waldrop
Carnes	Fite	Lutz	Weeks
Cauthen	Goodwin	McCluskey	—18

FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, November 18, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Carnes	Downing	Hardin
Adams	Carter	Drake	Harris
Adwell	Casey	Easters	Headley
Agee	Cauthen	Edwards	Hearn
Baker	Cherner	Ellis	Hill
Bank	Chesnut	Erdreich	Hobbie
Barkett	Collins	Falkenburg	Jackson
Bassett	Connell	Fite	Jones (E)
Benton	Coshatt	Flippo	Jones (F)
Boles	Cottingham	Gafford	King
Boutwell	Crawford	Gloor	Kinsey
Bowers	Cross	Goodwin	Lang
Brassell	Crowe	Grainger	Lutz
Burgess	Dill	Gray (F)	McBride
Callahan	Doss	Grey (D)	McCluskey

McCorquodale	Parker (T)	Smith (P)	Turnham	
Manley	Perloff	Snell	Waggoner	
Mathews	Pruitt	Stewart	Waldrop	
May	Reed (T)	Stokes	Wallace	
Meeks	Reid (R)	Straiton	Warren	
Merrill	Reynolds	Stubbs	Weeks	
Mims	Roberts	Taylor	Williams	
Naramore	Robertson	Therrell	Wise	
O'Daniel	St. John	Timmons	Wood	
Owens	Slate	Turner	Wynot	
Parker (H)	Smith (K)			—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Robertson, leave of absence was granted for Mr. Culver, due to personal illness.

On motion of Mr. Drake, leave of absence was granted for Mr. McDonald, due to absence from the State.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 100. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

S. 1. Relating to the jury commission in all counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; providing for the number, terms, and compensation of the members of such commission.

S. 2. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis, providing retroactive effect to September 1, 1971.

S. 9. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

S. 15. Relating to DeKalb County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

S. 16. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

BILLS ON THIRD READING

And the bill:

H. 69. To authorize those persons in Shelby County who have been designated agent by the Probate Judge of Shelby County for the sale of hunting and fishing licenses to charge a service fee of not more than twenty-five cents for each such license issued by them; said twenty-five cents to be in addition to all other issuance fees provided by law for the sale of such license.

Having been postponed from the Third Legislative Day, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Downing	King	Reynolds
Agee	Easters	Kinsey	Roberts
Baker	Edwards	Lutz	St. John
Bank	Ellis	McBride	Slate
Bassett	Flippo	McCluskey	Smith (K)
Benton	Gloor	McCorquodale	Smith (P)
Boles	Goodwin	Mathews	Snell
Boutwell	Grainger	May	Stokes
Brassell	Gray (F)	Merrill	Stubbs
Callahan	Grey (D)	Naramore	Taylor
Carnes	Hardin	O'Daniel	Therrell
Carter	Harris	Owens	Timmons
Collins	Headley	Parker (H)	Waggoner
Connell	Hill	Parker (T)	Waldrop
Coshatt	Hobbie	Perloff	Williams
Cottingham	Jackson	Pruitt	Wood
Cross	Jones (E)	Reed (T)	Wynot

—72

And the bill:

H. 59. To amend the title and Section 1 of Act No. 439, S. 731, Regular Session 1971 (Acts 1971, p.), which relates to salaries of courthouse

employees and to provide for equipment and supplies in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Downing	King	Reynolds
Agee	Easters	Kinsey	Roberts
Baker	Edwards	Lutz	St. John
Bank	Ellis	McBride	Slate
Bassett	Flippo	McCluskey	Smith (K)
Benton	Gloor	McCorquodale	Smith (P)
Boles	Goodwin	Mathews	Snell
Boutwell	Grainger	May	Stokes
Brassell	Gray (F)	Merrill	Stubbs
Callahan	Grey (D)	Naramore	Taylor
Carnes	Hardin	O'Daniel	Therrell
Carter	Harris	Owens	Timmons
Collins	Headley	Parker (H)	Waggoner
Connell	Hill	Parker (T)	Waldrop
Coshatt	Hobbie	Perloff	Williams
Cottingham	Jackson	Pruitt	Wood
Cross	Jones (E)	Reed (T)	Wynot

—72

And the bill:

H. 89. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Merrill
Adams	Cottingham	Headley	Naramore
Agee	Cross	Hill	O'Daniel
Baker	Crowe	Hobbie	Owens
Bank	Downing	Jackson	Parker (H)
Bassett	Easters	Jones (E)	Parker (T)
Benton	Edwards	Jones (F)	Perloff
Boles	Ellis	King	Pruitt
Boutwell	Flippo	Kinsey	Reed (T)
Brassell	Gloor	Lutz	Reid (R)
Callahan	Goodwin	McBride	Reynolds
Carnes	Grainger	McCluskey	Roberts
Carter	Gray (F)	McCorquodale	St. John
Collins	Grey (D)	Mathews	Slate
Connell	Hardin	May	Smith (K)

Smith (P)	Stubbs	Timmons	Williams
Snell	Taylor	Waggoner	Wood
Stokes	Therrell	Waldrop	Wynot

—72

And the bill:

H. 90. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Downing	King	Reynolds
Agee	Easters	Kinsey	Roberts
Baker	Edwards	Lutz	St. John
Bank	Ellis	McBride	Slate
Bassett	Flippo	McCluskey	Smith (K)
Benton	Gloor	McCorquodale	Smith (P)
Boles	Goodwin	Mathews	Snell
Boutwell	Grainger	May	Stokes
Brassell	Gray (F)	Merrill	Stubbs
Callahan	Grey (D)	Naramore	Taylor
Carnes	Hardin	O'Daniel	Therrell
Carter	Harris	Owens	Timmons
Collins	Headley	Parker (H)	Waggoner
Connell	Hill	Parker (T)	Waldrop
Coshatt	Hobbie	Perloff	Williams
Cottingham	Jackson	Pruitt	Wood
Cross	Jones (E)	Reed (T)	Wynot

—72

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 1:00 o'clock p. m., Friday, November 19, 1971.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, November 19, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor, Forest Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jones (E)	Roberts
Adams	Crowe	Jones (F)	Robertson
Adwell	Dill	King	St. John
Agee	Doss	Kinsey	Slate
Baker	Downing	Lang	Smith (K)
Bank	Drake	Lutz	Smith (P)
Barkett	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McCorquodale	Stokes
Boles	Erdreich	Manley	Straiton
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Gafford	Merrill	Timmons
Callahan	Gloor	Mims	Turner
Carnes	Goodwin	Naramore	Turnham
Carter	Grainger	Nettles	Waggoner
Casey	Gray (F)	O'Daniel	Waldrop
Cauthen	Grey (D)	Owens	Wallace
Cherner	Hardin	Parker (H)	Warren
Chesnut	Harris	Parker (T)	Weeks
Collins	Headley	Perloff	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford	Jackson	Reynolds	—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 5. Commending Hewitt-Trussville Elementary School on its instructional program

Also:

H. J. R. 6. Commending Holt High School Football Team on Undefeated Season

Also:

H. J. R. 7. Commending Abbeville Football Team

Also:

H. J. R. 9. Mourning the death of James Edwin Livingston, Former Chief Justice of the Alabama Supreme Court

Also:

H. J. R. 10. Mourning the death of Grover C. Hall, Jr.

Also:

H. J. R. 11. Mourning the death of Royce Gideon Kershaw of Montgomery

Also:

H. J. R. 12. Naming the chemistry building at Auburn University for Dean Charles Richard Saunders

Also:

H. J. R. 16. Commending the W. S. Neal Football Team

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 71. To repeal section 506, Act No. 1407, S. 414, Regular Session 1971, entitled "Alabama Uniform Controlled Substances Act."

Also:

H. 11. Relating to corporations organized for the purpose of establishing regional mental health programs and facilities; to exempt from all taxation such corporations which are certified or licensed by the State Board of Health under the provisions of Act No. 881, adopted at the 1965 Regular Session of the Legislature of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 15. Relating to Cullman County levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 48. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 83. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 44. To amend the title and Section 1 of Act No. 620, H. 795, Regular Session 1967 (Acts 1967, p. 1425) which provides for an expense allowance for the coroner of certain counties classified on a population basis; to make the provisions of this Act retroactive.

Also:

H. 41. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to authorize the county commission of any such county to provide a clerk hire allowance for the circuit clerk not to exceed $500 per month.

Also:

H. 24. To set the salary of the clerk of the jury commission of any county having a population of not less than 38,100 nor more than 40,500, according to the last or any subsequent federal decennial census.

Also:

H. 55. To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Also:

H. 23. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

H. 76. To amend Section 4 of Act No. 1738, H. 2575, 1971 Regular Session, approved September 17, 1971 entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership," so as to provide that employees of officials of state supported institutions of higher learning may serve on the commission established by this Act; giving the provisions of this amendment retroactive effect.

Also:

H. 70. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 22. To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Albertville and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Also:

H. 74. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters; to provide that the provisions of this Act shall be retroactive.

Also:

H. 72. To provide that the city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Also:

H. 10. Relating to all counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county commission of said counties to pay the members of the jury commission in said county such an additional amount as will make their total compensation $15 per day for each day they serve in said capacity.

Also:

H. 67. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Also:

H. 68. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Also:

H. 75. To amend Section 1 of Act No. 796, H. 1033, of the 1971 Regular Session of the Legislature, approved September 7, 1971, which said act provides for the election by popular vote of the City Board of Education in municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent Federal Decennial Census so as to provide that the terms of the members first elected to Boards of Education under the provisions of said act will be staggered.

Also:

H. 85. Relating to counties having a population of not less than 115,000 nor more than 150,000; to provide that the county Board of Education shall provide liability insurance coverage for any vehicle owned by them or operated under their jurisdiction and control.

Also:

H. 17. To further amend Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089), as amended, which provides for the appointment of a clerk for the sheriff's office of any county having a population of not less than 13,000 nor more than 13,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 84. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to

such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings.

Also:

H. 21. To set license fees paid to county barber commissions in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent Federal Decennial Census.

Also:

H. 79. To create the Court of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Also:

H. 26. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Also:

H. 53. Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission; by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Also:

H. 9. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants according to the most recent federal decennial census; to provide that the members of the county commission of any such county may be paid a salary not to exceed $4,800 per year.

Also:

H. 27. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; authorizing the judge of probate to appoint a probate court clerk; to define his duties; to direct the filing of a bond and provide for the compensation of such position.

Also:

H. 77. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 65. To amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equity and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

Also:

H. 66. To apply in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Also:

H. 29. To authorize the governing body of Jefferson County, Alabama, to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

Also:

H. 81. To amend Act No. 971 enacted at the 1971 Regular Session of the Legislature of Alabama, entitled "An Act to authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required", so as to amend the title of said Act, to expand the definition of Off-street Parking Facilities to include offices, a cafeteria or other food service facilities and passage ways or crosswalks to connect such facilities with the courthouse; to amend Section 2 of said Act to make additional legislative findings; and to amend Section 3 of said Act so as to identify more specifically the permissible location of such off-street parking facilities, and provide for the leasing of any part of such facilities.

Also:

H. 16. Relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Hawkins, Gilmore, Vacca, King, Cook, Bailes, Dominick, Clark and Lybrand:

S. J. R. 21. TO COMMEND THE ESTABLISHMENT OF THE ALONZO STAGG BOWL AT PHENIX CITY.

WHEREAS Samford University of Birmingham has been chosen by the selection committee of the Alonzo Stagg Bowl to participate in the first game of said bowl which will be played on Thanksgiving Day, at Phenix City, Alabama; and

WHEREAS this body feels that the NCAA and the selection committee have greatly honored this State both by the site chosen, and by the designation of Samford to play in the first game in a bowl which memorializes the father of football; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend the coaching staff and the football team of Samford University for their excellent showing this season and for their selection to play in an event which will inure to the honor and prestige of both the State of Alabama and their fine University.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the chairman of the selection committee, to the athletic department of Samford University, and to the National Headquarters of the National Collegiate Athletic Association.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Shelby:

WISHING REPRESENTATIVE JOHN CULVER A SPEEDY RECOVERY

S. J. R. 20. WHEREAS our fellow colleague Rep. John Culver of Tuscaloosa has been in the hospital for a considerable period of time but is now recovering at his home; and

WHEREAS his fellow members miss his good cheer, companionship and delightful association; and

WHEREAS there are many "non-controversial" issues before the Legislature of the type in which Rep. Culver delights in participating; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do wish their fellow member Rep. John Culver of Tuscaloosa a speedy recovery, and do extend their most heartfelt wishes that he soon return to their ranks.

BE IT FURTHER RESOLVED, that the Secretary of the Senate send a copy of this resolution to Rep. John Culver of Tuscaloosa.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 20, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 18. To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to abolish the County Court of Dale County and the Juvenile Court of Dale County and to provide for the transfer of all cases pending in these courts to the newly established court.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Barkett, the House concurred in and adopted the Senate amendment to the bill, H. 18, said Senate amendment being as follows:

Substitute for Section 11 (d) the following:

The Judge shall receive an annual salary not to exceed $17,000 per year payable out of the General Fund of the County in equal monthly installments as the salaries of other county officers are paid. Amount of salary to be determined by the Court of County Commissioners.

Delete Section 14 and substitute the following:

Section 14. This Act shall take effect no later than December 1, 1972. Provided, however, it may take effect at any earlier date after its enactment at such time as determined by the Court of County Commissioners.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Connell	Headley	Reed (T)
Adams	Coshatt	Hearn	Reynolds
Adwell	Cottingham	Hill	St. John
Agee	Crawford	Hobbie	Smith (K)
Baker	Cross	Jackson	Smith (P)
Bank	Crowe	Jones (E)	Snell
Barkett	Dill	Jones (F)	Stokes
Bassett	Doss	King	Straiton
Benton	Downing	Kinsey	Stubbs
Boles	Easters	Lutz	Taylor
Boutwell	Edwards	McBride	Timmons
Bowers	Ellis	McCluskey	Waggoner
Brassell	Erdreich	McCorquodale	Waldrop
Callahan	Falkenburg	Manley	Wallace
Carnes	Flippo	Naramore	Warren
Carter	Goodwin	Nettles	Weeks
Cauthen	Grainger	O'Daniel	Williams
Chesnut	Hardin	Owens	Wood
Collins	Harris	Pruitt	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendments to the bill, H. 1, said Senate amendments being as follows:

Substitute for HB 1:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries," where ever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the excutive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1972, and September 30, 1973, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year; payment for the total pay period shall be made from the new fiscal year's appropriation.

I. LEGISLATIVE:

(1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature for the fiscal year ending September 30, 1972 ..... 500,000.00

	For the salaries oef the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature conditional upon the condition of the Treasury and the approval of the Governor, for the fiscal year ending September 30, 1972	1,250,000.00	
	For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature conditional upon the condition of the Treasury and the approval of the Governor, for the fiscal year ending September 30, 1973	2,000,000.00	
(2)	For the printing of Legislative Acts and Journals: For the fiscal year ending September 30, 1972, estimated		150,000.00
	For the fiscal year ending September 30, 1973, estimated		50,000.00
(3)	For Legislative Council expenses		25,000.00
(4)	LEGISLATIVE REFERENCE SERVICE: For the fiscal year ending September 30, 1972:		
	For salary of the Director	20,000.00	
	For other salaries	115,500.00	
	For other expenses	9,000.00	
	For equipment purchases	2,500.00	
	For automotive equipment purchases	3,500.00	
	Total		150,500.00
	For the fiscal year ending September 30, 1973:		
	For salary of the Director	20,000.00	
	For other salaries	105,000.00	
	For other expenses	8,000.00	
	For equipment purchases	1,000.00	
	Total		134,000.00
	Commission on Intergovernmental Cooperation:		
	For salaries	1,890.00	
	For other expenses	3,200.00	
	Total		5,090.00
	Code Revision: For salaries and expenses, estimated		10,000.00

(5) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:		
For the fiscal year ending September 30, 1972:		
For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	1,207,500.00	
For other expenses	325,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	4,000.00	
Total		1,579,100.00
For fiscal year ending September 30, 1973:		
For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	1,181,250.00	
For other expenses	325,000.00	
For equipment purchases	4,000.00	
Total		1,548,850.00
II. JUDICIAL:		
(1) THE SUPREME COURT:		
For the fiscal year ending September 30, 1972:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of the Clerk of the Court, Estimated	19,561.50	
For the salary of the Court Reporter, Estimated	17,860.50	
For salaries of the Law Clerks, Estimated	75,600.00	
For other salaries	278,780.00	
For other expenses	23,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	5,000.00	
For a Consultant Study (to match Federal Funds)	1,500.00	
For Judicial Conference	7,500.00	
For Judicial Education	2,500.00	
Total		641,602.00
For the fiscal year ending September 30, 1973:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of the Clerk of the Court, Estimated	18,837.00	

For the salary of the Court Reporter, Estimated	17,199.00	
For salaries of Law Clerks, Estimated	75,600.00	
For other salaries	268,342.00	
For other expenses	23,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	5,000.00	
For a consultant study (to match Federal Funds)	1,500.00	
For a Judicial Conference	7,500.00	
For Judicial Education	2,500.00	
Total		629,778.00
For the Supreme Court Library Fund		50,000.00
(2) COURT OF CRIMINAL APPEALS:		
For the fiscal year ending September 30, 1972:		
For salaries of the three Judges	66,000.00	
For other salaries	115,664.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For Printing Appelate Court Reports, Estimated	6,000.00	
Total		196,664.00
For the fiscal year ending September 30, 1973:		
For salaries of the three Judges	66,000.00	
For other salaries	112,360.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
For printing Appelate Court Reports, Estimated	6,000.00	
Total		193,360.00
(3) COURT OF CIVIL APPELLS:		
For the fiscal year ending September 30, 1972:		
For salaries of three Judges	66,000.00	
For other salaries	87,144.00	
For other expenses	10,000.00	
For equipment and book purchases	1,000.00	
For printing Appelate Court Reports, Estimated	4,500.00	
Total		168,644.00
For the fiscal year ending September 30, 1973:		
For salaries of three Judges	66,000.00	
For other salaries	84,896.00	

For other expenses	10,000.00	
For equipment and book purchases	1,000.00	
For printing Appelate Court Reports, Estimated	4,500.00	
Total		166,396.00
(4) THE CIRCUIT COURTS:		
For the salaries of the judges of the Circuit Courts, estimated		1,530,000.00
For travel expenses of circuit judges, estimated		17,500.00
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session		9,000.00
For telephone service, stationery, stamps, and necessary office supplies for the office use of circuit judges (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)		30,000.00
For the salaries and travel expenses of special judges, estimated		13,500.00
For salaries of District Attorneys, Estimated	675,000.00	
For the salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	8,500.00	
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; $4,000.00 each	20,000.00	
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	17,000.00	
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00	
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00	

For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00	
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit, Estimated	35,800.00	
For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	13,200.00	
For the Salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	16,800.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the travel expenses of District Attorneys, estimated	18,000.00	
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps, and necessary office supplies for the office use of District Attorneys, Deputy District Attorneys or Assistants (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	30,000.00	
For the salaries of Public Defenders as provided by Act No. 1158, 1969 Regular Session	17,000.00	
Total		905,550.00
For salary of supernumerary District Attorneys, estimated		78,400.00
For expenses of supernumerary District Attorneys, estimated		2,600.00
(5) COURT REPORTERS:		
For the compensation of the circuit court reporters, estimated		350,000.00
For the compensation of the supernumerary circuit court reporters, estimated		70,000.00
(6) SUPERNUMERARY JUDGES:		
For salaries of supernumerary judges and justices, estimated		120,000.00
For expenses of supernumerary judges and justices, estimated		5,000.00

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For the fiscal year ending September 30, 1972:		
For salary of the Governor	25,000.00	
For salary of the Executive Secretary	19,800.00	
For salary of the Legal Advisor	19,800.00	
For salary of the Press Secretary	19,800.00	
For salary of the Confidential Assistant	19,800.00	
For other salaries	109,997.00	
For other expenses	89,500.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	7,500.00	
Total		316,197.00
For the fiscal year ending September 30, 1973:		
For the salary of the Governor	25,000.00	
For the salary of the Executive Secretary	19,800.00	
For the salary of the Legal Advisor	19,800.00	
For the salary of the Press Secretary	19,800.00	
For the salary of the Confidential Assistant	19,800.00	
For other salaries	109,997.00	
For other expenses	90,000.00	
For printing of Governor's State Budget, estimated	20,000.00	
For equipment purchases	3,000.00	
For automotive equipment purchases	7,500.00	
Total		334,697.00
(2) For the Governor's Emergency Fund, to be expended at the direction of the Governor		45,000.00
For the Governor's Controlled Contingency Fund		45,000.00
For Governor's Office—Consumer Agency, For salaries, other expenses, and equipment purchases		150,000.00

(3) For the Mansion Fund		25,000.00
For the Governor's Mansion at Gulf Shores		5,000.00
(4) STATE BOARD OF ADJUSTMENT:		
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditures of $200,000 pursuant to Title 55, Section 343		15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208 Special Session 1966 and Act 436 Regular Session 1967, estimated		100,000.00
(5) COMMISSION ON AGING:		
For transfer to the Commission on Aging		52,500.00
(6) DEPARTMENT OF ARCHIVES AND HISTORY:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	16,800.00	
For other salaries	152,515.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For expenses of printing of the Alabama Historical Quarterly	7,000.00	
For printing Statistical Register	7,000.00	
Total		215,315.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	16,800.00	
For other salaries	141,750.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For Printing Historical Quarterly	7,000.00	
Total		197,550.00
(7) ALABAMA COUNCIL ON ARTS:		
For transfer to the Council on the Arts		125,000.00

(8) OFFICE OF THE ATTORNEY GENERAL:		
For the fiscal year ending September 30, 1972:		
For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, Estimated	19,561.50	
For other salaries	556,500.00	
For other expenses	119,438.50	
For equipment purchases	2,000.00	
For automotive equipment purchases	15,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		766,500.00
For the fiscal year ending September 30, 1973:		
For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, Estimated	18,837.00	
For other salaries	556,500.00	
For other expenses	120,163.00	
For equipment purchases	2,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	10,000.00	
Total		751,500.00
(9) OFFICE OF THE STATE AUDITOR:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Auditor	20,000.00	
For other salaries	120,290.00	
For other expenses	4,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		148,790.00
For fiscal year ending September 30, 1973:		
For salary of the State Auditor	20,000.00	
For other salaries	121,797.00	
For other expenses	4,000.00	

For equipment purchases	1,000.00	
Total		146,797.00
(10) OFFICE OF THE STATE AUDITOR—PROPERTY INVENTORY:		
For the fiscal year ending September 30, 1972:		
For salaries	31,779.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,279.00
For the fiscal year ending September 30, 1973:		
For salaries	31,626.00	
For other expenses	3,750.00	
For equipment purchases	750.00	
Total		36,126.00
(11) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972		118,888.00
For the fiscal year ending September 30, 1973		151,175.00
(12) BANKING DEPARTMENT—BUREAU OF LOANS:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1972		55,014.00
For the fiscal year ending September 30, 1973		61,475.00
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:		
For salaries	3,780.00	
For other expenses	1,400.00	
Total		5,180.00
(14) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		125,000.00
(15) CAHABA HISTORICAL COMMISSION:		
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total		6,000.00

(16) DEPARTMENT OF CIVIL DEFENSE:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	16,200.00	
For other salaries	107,200.00	
For other expenses	38,500.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		166,300.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	16,200.00	
For other salaries	94,500.00	
For other expenses	38,500.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		153,200.00
(17) ALABAMA DEVELOPMENT OFFICE:		
For transfer to Alabama Development Office for operations:		
For the fiscal year ending September 30, 1972		1,282,307.73
For the fiscal year ending September 30, 1973		1,109,300.00
(18) STATE EMPLOYEES INSURANCE BOARD:		
For the fiscal year ending September 30, 1972:		
For salaries	31,323.00	
For other expenses	5,500.00	
For equipment purchases	250.00	
Total		37,073.00
For the fiscal year ending September 30, 1973:		
For salaries	31,101.00	
For other expenses	5,500.00	
For equipment purchases	250.00	
Total		36,851.00
(19) FARMERS MARKET AUTHORITY:		
For transfer to the Farmers Market Authority for the operation of the Farmers Market Authority:		

For the fiscal year ending September 30, 1972		49,725.00
For the fiscal year ending September 30, 1973		45,353.00
(20) DEPARTMENT OF FINANCE:		
(a) Director's Office:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	19,800.00	
For salary of the Assistant Director	18,800.00	
For other salaries	29,612.00	
For other expenses	7,000.00	
Total		75,212.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For the salary of the Assistant Director	19,800.00	
For other salaries	28,515.00	
For other expenses	7,000.00	
Total		74,115.00
(b) Division of the Budget:		
For the fiscal year ending September 30, 1972:		
For salary of the Budget Officer	17,500.00	
For other salaries	69,571.00	
For other expenses	5,500.00	
For equipment purchases	500.00	
Total		93,071.00
For the fiscal year ending September 30, 1973:		
For salary of the Budget Officer	17,500.00	
For other salaries	66,995.00	
For other expenses	6,500.00	
For equipment purchases	500.00	
Total		91,495.00
(c) Division of Control and Accounts:		
For the fiscal year ending September 30, 1972:		
For salary of the State Comptroller, Estimated	17,860.00	
For other salaries	278,190.00	

For other expenses	142,450.00	
For equipment purchases	5,000.00	
Total		443,500.00
For the fiscal year ending September 30, 1973:		
For salary of the State Comptroller, Estimated	17,199.00	
For other salaries	269,755.00	
For other expenses	149,000.00	
For equipment purchases	5,000.00	
Total		440,954.00
(d) Legal Division:		
For the fiscal year ending September 30, 1972:		
For salary of the Chief of the Division, Estimated	17,847.00	
For other salaries	17,577.00	
For other expenses	6,000.00	
For equipment purchases	750.00	
Total		42,174.00
For the fiscal year ending September 30, 1973:		
For salary of the Chief of the Division, Estimated	17,199.00	
For other salaries	16,926.00	
For other expenses	6,000.00	
For equipment purchases	450.00	
Total		40,575.00
(e) For Computer Consolidation and Copy Center Operation		10,000.00
(f) Division of Purchases and Stores:		
For the fiscal year ending September 30, 1972:		
For salaries	214,365.00	
For other expenses	22,500.00	
For equipment purchases	5,000.00	
Total		241,865.00
For the fiscal year ending September 30, 1973:		
For salaries	211,136.00	
For other expenses	22,500.00	
For equipment purchases	2,000.00	
Total		235,636.00
(g) Division of Service:		
For the fiscal year ending September 30, 1972:		

For salaries	630,000.00	
For other expenses	255,000.00	
For equipment purchases	7,000.00	
For automotive equipment purchases	3,500.00	
Total		895,500.00
For the fiscal year ending September 30, 1973:		
For salaries	603,750.00	
For other expenses	225,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	4,000.00	
Total		837,750.00
(h) For equipment purchases in the State Offices for the Executive, Administrative and Judicial Department		10,000.00
(21) GORGAS MEMORIAL BOARD: To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383, and an additional amount—Total		9,500.00
(22) HALL OF FAME BOARD: For the payment of expenses of the Board		750.00
(23) DEPARTMENT OF HEALTH:		
(a) For Air Pollution Commission: For salaries, other expenses, equipment purchases and automotive equipment purchases:		
For the fiscal year ending September 30, 1972		219,800.00
For the fiscal year ending September 30, 1973		218,200.00
(To be expended in accordance with Act No. 1135, 1969 Regular Session)		
(b) For study, care and treatment of cancer		140,000.00
(c) For County Health Work: For transfer to the County Health Work Account		425,000.00
(d) For Dental Program: For salaries, other expenses and county clinics:		

For the fiscal year ending September 30, 1972	97,571.00
For the fiscal year ending September 30, 1973	96,498.00
(e) For General Health: For salaries, other expenses and equipment purchases (This appropriation includes the operations of the Branch Laboratories in Birmingham and Mobile.)	1,305,000.00
(f) For Health Facilities Construction: For salaries and other expenses:	
For the fiscal year ending September 30, 1972	43,753.00
For the fiscal year ending September 30, 1973	43,333.00
(g) For Hospital Care of the Indigent: For transfer to the Hospital Care of the Indigent Account	200,000.00
(h) Hospital Licensing: For transfer to the Hospital Licensing Account	21,500.00
(i) Medicaid: For transfer to Medicaid Account	22,000,000.00
(j) For Preventable Diseases: For the purchase of vaccines and drugs	75,000.00
(k) For Radiation Control: For salaries, other expenses and equipment purchases	71,500.00
(l) For Tuberculosis Testing: For salaries, other expenses, equipment purchases, and for clinician and radiologist fees	154,300.00
(m) For Tuberculosis and Chronic Lung Disorders Treatment: For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several	

Tuberculosis Hospitals in the State and for administrative cost not to exceed $276.00 per licensed bed as provided in Act No. 272, 1966 Special Session. Provided, however, that not more than 5% of this appropriation may be used for the treatment of disease other than tuberculosis:		
For the fiscal year ending September 30, 1972		3,105,687.00
For the fiscal year ending September 30, 1973		3,097,531.00
(n) For Venereal Disease Control:		
For salaries and other expenses		77,600.00
(o) Water Improvement Commission:		
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts for stream studies:		
For fiscal year ending September 30, 1972		231,921.00
For fiscal year ending September 30, 1973		233,919.00
(24) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For transfer to Office of Highway and Traffic Safety		75,000.00
(25) ALABAMA HISTORICAL COMMISSION:		
For transfer to Alabama Historical Commission for operations		78,150.00
(26) RICHMOND PEARSON HOBSON MEMORIAL BOARD:		
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount		
Total		9,500.00
(27) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For the fiscal year ending September 30, 1972:		
For salaries	304,500.00	
For other expenses	60,000.00	

For equipment purchases	2,000.00	
For automotive equipment purchases	7,000.00	
Total		373,500.00
For the fiscal year ending September 30, 1973:		
For salaries	288,750.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		353,250.00
(28) DEPARTMENT OF INSURANCE:		
For the fiscal year ending September 30, 1972:		
For salary of the Director	19,000.00	
For othe salaries	352,800.00	
For other expenses	110,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,700.00	
Total		486,500.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	19,000.00	
For other salaries	336,000.00	
For other expenses	110,000.00	
For equipment purchases	1,000.00	
Total		466,000.00
(29) STATE LABOR DEPARTMENT:		
For the fiscal year ending September 30, 1972:		
For salary of the Director	19,000.00	
For other salaries	89,250.00	
For other expenses	25,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	4,500.00	
Total		138,750.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	19,000.00	
For other salaries	84,000.00	
For other expenses	25,000.00	
Total		128,000.00
(30) LAGRANGE HISTORICAL COMMISSION:		

To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, Page 540		2,000.00
(31) LIVESTOCK COLISEUM: For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum:		
For the fiscal year ending September 30, 1972		53,300.00
For the fiscal year ending September 30, 1973		56,470.00
(32) PUBLIC LIBRARY SERVICE DIVISION:		
(a) For salaries	78,750.00	
For other expenses	25,000.00	
For Books	32,500.00	
For State aid to county units	111,000.00	
Total		247,250.00
(b) For transfer to Alabama Public Library Service Federal Account—Title II		7,000.00
(33) MILITARY DEPARTMENT:		
(a) For operation of the Department: For the fiscal year ending September 30, 1972: For salary of the Adjutant General	19,800.00	
For other salaries	446,250.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		574,550.00
For the fiscal year ending September 30, 1973: For the salary of the Adjutant General	19,800.00	
For other salaries	420,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	3,500.00	
Total		584,300.00
(b) For Quarterly Allowances Provided that not more than $5,000.00 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than		298,000.00

$1,500.00 may be allotted in any fiscal year for the Division Headquarters.		
(c) For Active Military Service—Active National Guard		72,000.00
(d) For transfer to the Armory Commission — For care and maintenance of armories		712,500.00
(34) UNIVERSITY OF ALABAMA—MUSEUM FUND: For operation and maintenance		68,000.00
(35) DEPARTMENT OF PENSIONS AND SECURITY: For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
(36) PERSONNEL DEPARTMENT: For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department. For the fiscal year ending September 30, 1972		71,400.00
For the fiscal year ending September 30, 1973		71,905.00
(37) COMMISSION ON PHYSICAL FITNESS: For the fiscal year ending September 30, 1972:		
For salaries	40,727.00	
For other expenses	10,600.00	
For equipment purchases	800.00	
For automotive equipment purchases	3,500.00	
Total		55,627.00
For the fiscal year ending September 30, 1973:		
For salaries	37,737.00	
For other expenses	10,600.00	
Total		48,337.00
(38) COMMISSION TO PRESERVE THE PEACE:		
For salaries	25,515.00	
For other expenses	20,000.00	
For equipment purchases	500.00	
Total		46,015.00

(39) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operations		1,600.00
(40) BUREAU OF PUBLICITY AND INFORMATION:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	3,000.00	
For automotive equipment purchases	10,150.00	
For Ave Maria Grotto	2,500.00	
For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		187,900.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	18,000.00	
For other salaries	52,500.00	
For other expenses	55,000.00	
For equipment purchases	1,000.00	
For Ave Maria Grotto	2,500.00	
For Mobile Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
Total		175,750.00
(41) DEPARTMENT OF PUBLIC SAFETY:		
For the fiscal year ending September 30, 1972:		
For the salary of the Director	19,800.00	
For other salaries	7,822,500.00	
For other expenses	1,700,000.00	
For Workman's Compensation Insurance, Estimated	141,000.00	
For equipment purchases	114,200.00	
For automotive equipment purchases	800,000.00	
Total		10,595,500.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For other salaries	7,665,000.00	

For other expenses	1,700,000.00	
For Workman's Compensation Insurance—Estimated	145,000.00	
For equipment purchases	113,620.00	
For automotive equipment purchases	800,000.00	
Total		10,443,420.00
(42) DEPARTMENT OF REVENUE:		
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department,		
For the fiscal year ending September 30, 1972		894,065.30
For the fiscal year ending September 30, 1973		895,204.85
(b) Boards of Equalization:		
For salaries of the members and employees of the county boards of equalization	143,750.00	
For other expenses	4,000.00	
Total		147,750.00
(43) OFFICE OF SECRETARY OF STATE:		
(a) For the fiscal year ending September 30, 1972:		
For the salary of the Secretary of State	20,000.00	
For other salaries	55,739.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		87,239.00
For the fiscal year ending September 30, 1973:		
For salary of the Secretary of State	20,000.00	
For other salaries	54,804.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		86,304.00
(b) Uniform Commercial Code:		
For the fiscal year ending September 30, 1972:		
For other salaries	39,404.00	
For other expenses	8,500.00	
For equipment purchases	7,600.00	
Total		55,504.00
For the fiscal year ending September 30, 1973:		

For other salaries	39,903.00	
For other expenses	8,500.00	
For equipment purchases	1,800.00	
Total		50,203.00

(44) SECURITIES COMMISSION:

For the fiscal year ending September 30, 1972:		
For salaries	79,069.00	
For other expenses	10,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	7,500.00	
Total		101,569.00
For the fiscal year ending September 30, 1973:		
For salaries	79,140.00	
For other expenses	10,000.00	
For equipment purchases	1,000.00	
Total		87,140.00

(45) SOCIAL SECURITY ADMINISTRATION:

For the fiscal year ending September 30, 1972:		
For salaries	93,047.00	
For other expenses	17,500.00	
For equipment purchases	1,000.00	
Total		111,547.00
For the fiscal year ending September 30, 1973:		
For other salaries	91,182.00	
For other expenses	17,500.00	
Total		108,682.00

(46) STATE SOVEREIGNTY COMMISSION:

To carry out the provisions of Act No. 514 of the 1963 Regular Session		65,000.00

(47) SPORTS HALL OF FAME BOARD:

To carry out the provisions of Act No. 225, 1967 Regular Session		25,000.00

(48) STATE TOXICOLOGIST:

For the salary of the State Toxicologist	19,800.00	
For other salaries	294,000.00	
For other expenses	45,000.00	
For equipment purchases	9,000.00	

For automotive equipment purchases	3,500.00	
Total		371,300.00
(49) OFFICE OF THE STATE TREASURER:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Treasurer	20,000.00	
For other salaries	234,150.00	
For other expenses	62,100.00	
For equipment purchases	5,500.00	
Total		321,750.00
For the fiscal year ending September 30, 1973:		
For the salary of the State Treasurer	20,000.00	
For other salaries	249,900.00	
For other expenses	65,000.00	
For equipment purchases	6,500.00	
For automotive equipment purchases	3,700.00	
Total		345,100.00
(50) UNIVERSITY OF ALABAMA—UNIVERSITY HOSPITAL & CLINICS:		
For operation and maintenance		1,000,000.00
(51) DEPARTMENT OF VETERANS' AFFAIRS:		
For the fiscal year ending September 30, 1972:		
For the salary of the Service Commissioner	17,500.00	
For other salaries	835,275.00	
For other expenses	55,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	7,000.00	
For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		944,475.00
For the fiscal year ending September 30, 1973:		
For the salary of the Service Commissioner	17,500.00	
For other salaries	835,275.00	
For other expenses	55,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	

For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled American Veterans Organization	5,550.00	
Total		940,975.00
(52) FIRST WHITE HOUSE OF THE CONFEDERACY: For salaries and other expenses		10,000.00
B. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:		
(1) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:		
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries:		
For the fiscal year ending September 30, 1972		2,144,837.00
For the fiscal year ending September 30, 1973		1,988,548.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases		381,000.00
(2) AGRICULTURE CENTER BOARD:		
(a) For transfer to the Agriculture Center Board for salaries and other expenses:		
For the fiscal year ending September 30, 1972		39,621.00
For the fiscal year ending September 30, 1973		38,496.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session		90,000.00
(3) DEPARTMENT OF CONSERVATION:		
(a) For transfer to Department of Conservation — State Land Funds—For salaries, other expenses, and equipment purchases for the State Lands Division		43,465.00

(b)	For transfer to Department of Conservation — State Parks Fund—For salaries, other expenses and equipment purchases for the Division of State Parks:		
	For the fiscal year ending September 30, 1973		1,050,512.18
(4)	ALABAMA FORESTRY COMMISSION:		
	For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases		1,245,825.00
(5)	FORT MORGAN HISTORICAL COMMISSION:		
	For the fiscal year ending September 30, 1972:		
	For salaries	32,162.00	
	For other expenses	15,000.00	
	For equipment purchases	1,500.00	
	For automotive equipment purchases	3,500.00	
	Total		52,162.00
	For the fiscal year ending September 30, 1973:		
	For salaries	32,162.00	
	For other expenses	15,000.00	
	For equipment purchases	1,500.00	
	Total		48,662.00
(6)	GEOLOGICAL SURVEY:		
	For the fiscal year ending September 30, 1972:		
	For the salary of the State Geologist	19,800.00	
	For other salaries	315,000.00	
	For other expenses	100,000.00	
	For equipment purchases	5,000.00	
	For automotive equipment purchases	9,000.00	
	For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00	
	For test drilling	20,000.00	
	Topographic Mapping	25,000.00	
	Total		631,300.00
	For the fiscal year ending September 30, 1973:		
	For the salary of the State Geologist	19,800.00	

	For other salaries	288,750.00	
	For other expenses	100,000.00	
	For equipment purchases	5,000.00	
	For automotive equipment purchases	9,000.00	
	For matching Federal funds for investigation of the surface water and ground water resources of the State	137,500.00	
	For test drilling	20,000.00	
	Topographic Mapping	25,000.00	
	Total		605,050.00
(7)	OIL AND GAS BOARD:		
	For the fiscal year ending September 30, 1972:		
	For salaries	315,000.00	
	For other expenses	80,000.00	
	For equipment purchases	4,500.00	
	For automotive equipment purchases	10,000.00	
	For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	30,000.00	
	Total		439,500.00
	For the fiscal year ending September 30, 1973:		
	For salaries	315,000.00	
	For other expenses	80,000.00	
	For equipment purchases	2,000.00	
	For salaries, other expenses, equipment purchases and automotive equipment purchases to be allotted upon opening New Oil and Gas Fields	30,000.00	
	Total		427,000.00
(8)	STATE SOIL CONSERVATION COMMITTEE:		
	For the fiscal year ending September 30, 1972:		
	For salaries	34,615.00	
	For other expenses	53,500.00	
	For automotive equipment purchases	3,500.00	
	For Watershed Planning Party and Soil and Water Conservation Districts	75,000.00	
	Total		166,615.00
	For the fiscal year ending September 30, 1973:		
	For salaries	34,725.00	

For other expenses	53,000.00	
For Watershed Planning Party and Soil and Water Conservation District	75,000.00	
Total		162,725.00
(9) WATERSHED CONSERVANCY DISTRICTS:		
(1) Bear Creek Development Authority		31,250.00
(2) Choccolocco Watershed		4,000.00
(3) Crooked Creek Watershed		2,500.00
(4) Big Wills Watershed, DeKalb County		7,000.00
(5) Big Wills Watershed, Etowah County		7,000.00
(6) Ketchepedrakee Watershed		2,500.00
(7) Line Creek Watershed		2,000.00
(8) Tallaseehatchee Watershed		2,500.00
(9) Terrapin Creek Watershed		10,000.00
C. HOSPITAL AND CORRECTIONAL FUNCTIONS:		
(1) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, estimated		2,000.00
(2) BOARD OF CORRECTIONS:		
For transfer to Board of Corrections		5,718,000.00
(3) FEEDING OF PRISONERS:		
For expenses of feeding prisoners in county jails, estimated		1,000,000.00
(4) JUVENILE PROBATION OFFICERS:		
Estimated		150,000.00
(To carry out the provisions of Act No. 880, 1965 Reg. Sess.)		
(5) MENTAL HEALTH:		
For transfer to Special Mental Health Fund:		
For the fiscal year ending September 30, 1972		4,900,000.00
For the fiscal year ending September 30, 1973		10,300,000.00
(6) BOARD OF PARDONS AND PAROLES:		
For the fiscal year ending September 30, 1972:		
For salaries of Board Members	45,000.00	
For other salaries	1,115,000.00	
For other expenses	118,000.00	

For equipment purchases	9,000.00	
For automotive equipment purchases	7,000.00	
Total		1,294.000.00
For the fiscal year ending September 30, 1973:		
For salaries of Board Members	45,000.00	
For other salaries	1,115,000.00	
For other expenses	123,000.00	
For equipment purchases	2,500.00	
For automotive equipment purchases	7,000.00	
Total		1,292,500.00

(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated 65,000.00

D. DEBT SERVICE:

(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.

For the fiscal year ending September 30, 1972 ..... 271,000.00

For the fiscal year ending September 30, 1973: 274,250.00

(2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII:

For the fiscal year ending September 30, 1972 ..... 224,115.00

For the fiscal year ending September 30, 1973 ..... 114,620.00

(3) For interest on Spanish American War Veterans Fund, estimated 294.86

(4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated:

For the fiascal year ending September 30, 1972 ..... 2,228,008.75

For the fiscal year ending September 30, 1973 ..... 2,286,713.75

(5) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated:	
For the fiscal year ending September 30, 1972	800,000.00
For the fiscal year ending September 30, 1973	750,000.00
(6) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV:	
For the fiscal year ending September 30, 1972	224,805.00
For the fiscal year ending September 30, 1973	228,155.00
E. MISCELLANEOUS:	
(1) Alabama Academy of Honor (Pursuant to provisions of Act No. 15, Third Special Session 1965)	1,500.00
(2) For advertising lands for tax sale, estimated	14,000.00
(3) Alabama Agricultural and Industrial Exhibit Commission	42,500.00
(4) Appalachin Regional Development Program:	
For the fiscal year ending September 30, 1972	112,116.00
For the fiscal year ending September 30, 1973	145,444.00
(5) Armed Forces Day Committee	1,000.00
(6) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated	37,500.00
(7) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated	3,000.00
(8) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated	100.00
(9) Alabama Constitutional Commission:	

For the fiscal year ending September 30, 1972:		
For salaries	31,343.00	
For other expenses	35,485.36	
Total		66,828.36
For the fiscal year ending September 30, 1973:		
For salaries	18,489.00	
For other expenses	29,370.88	
Total		47,859.88
(10) Coosa-Alabama Development Authority		12,500.00
(11) Council of State Governments		30,790.00
(12) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, 1957 Acts, page 777, estimated		250,000.00
(13) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated		65,000.00
(14) Departmental Emergency Fund:		200,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940, and shall be the only amount appropriated and the tital amount expended under the provisions of said action.		
(15) Department of Finance—Mail and Supply Room:		
For the fiscal year ending September 30, 1972		65,000.00
(16) For distribution of public documents, estimated		30,000.00
(17) Election expenses, estimated:		
For the fiscal year ending September 30, 1972		675,000.00
For the fiscal year ending September 30, 1973		467,500.00
This appropriation made pursuant to provisions of Act No. 160, 1955 Acts, page 407, for costs and expenses of elections.		
(18) Elk River Development Association		5,000.00
(19) State Employees Insurance:		
To pay the State's share of the State		

Employee Insurance Program, estimated	300,000.00
(20) Employees' Retirement Fund State's part, estimated:	
For the fiscal year ending September 30, 1972	1,750,000.00
For the fiscal year ending September 30, 1973	1,700,000.00
(21) Fair Trial Tax, Transfer	100,000.00
(To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.)	
(22) Governor's Commission on Drug Abuse	7,000.00
(23) For expenses of Governor's Proclamations, estimated	100,000.00
(24) National Governor's Conference	8,500.00
(25) Governor's Retirement, estimated	9,000.00
(26) Governor's Wives Retirement, Estimated	14,400.00
(27) For Helen Keller Home: For operation and maintenance	2,500.00
(28) Interpreter's Account, estimated	100.00
(To carry out provisions of Act No. 799, 1965 Reg. Sess.)	
(29) Southern Interstate Nuclear Board	8,902.00
(30) Law Enforcement Legal Defense, Estimated	10,000.00
(To carry out provisions of Act No. 259, Regular Session 1967)	
(31) For Mailing Tax Notices, estimated	7,500.00
(32) For Matching Federal Funds not otherwise provided for	100,000.00
(33) For Alabama Mountain Lakes Association	5,000.00
(34) Presidential Electoral Expense, estimated:	
For the fiscal year ending September 30, 1973	100.00
(35) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1972, estimated	100,000.00

(36) For printing of State and County Privilege Licenses, estimated	8,000.00
(37) Southern Regional Educational Board	8,000.00
(38) Top of Alabama Regional Council on Governments: For the fiscal year ending September 30, 1972	35,000.00
(39) For Registration of Voters, Estimated: For the fiscal year ending September 30, 1972	200,000.00
For the fiscal year ending September 30, 1973	150,000.00
(40) For State's share of Social Security, estimated	550,000.00
(41) For Spanish War Veterans and Widows Encampment	1,000.00
(42) For Tallacoosa Highland Lake Association	5,000.00
(43) Telephone Revolving Fund: For the fiscal year ending September 30, 1972	60,000.00
(44) Tennessee River Development Association	5,000.00
(45) Tennessee-Tombigbee Waterway Development Authority (To carry out the provisions of Act No. 355, 1957 Reg. Sess., approved August 23, 1957.)	80,000.00
(46) State Treasurer—Previous Year unpaid warrants, estimated	25,000,00
(47) Commission on Uniform State Laws Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.	4,000.00
(48) National Veterans Day Committee, Birmingham, Alabama	1,500.00
(49) Veterans Day Committee	1,000.00
(50) Tri-Rivers Development Association (For the promotion of the Chattahoochee River)	30,000.00
(51) Alabama Steer Association	10,000.00

(52) Alabama Historic Chattahoochee Commission: For salaries, expenses, equipment purchases and automotive equipment purchases		50,000.00
(53) Ala. Law Institute		75,000.00
(54) Ala. Wing Civil Air Patrol		25,000.00
F. FROM FUNDS OTHER THAN GENERAL FUND:		
(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY: For salaries, other expenses and equipment purchases:		
For the fiscal year ending September 30, 1972		34,600.00
For the fiscal year ending September 30, 1973		38,100.00
In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.		
The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.		
(2) AERONAUTICS DEPARTMENT: For the fiscal year ending September 30, 1972:		
For the salary of the Director, estimated	16,200.00	
For other salaries	59,787.00	
For other expenses	28,000.00	
For equipment purchases	1,000.00	
Total		104,987.00
For State Aid for Airports— For Airports and Airmarkings		350,000.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director, Estimated	16,200.00	
For other salaries	60,811.00	

For other expenses	28,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		109,511.00
For State Aid to Airports—		
For Airports and Airmarkings		350,000.00

The above appropriation to Aeronautics Department shall be paid from the State Airports Development Funds as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts 50,000.00

The above appropriations is payable from the funds transferred to this account in Item III A (5) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities, or the Federal Government are hereby appropriated. .....

(4) AGRICULTURE AND INDUSTRIES:

(a) For the fiscal year ending September 30, 1972:

For the salary of the Commissioner	20,000.00	
For other salaries	2,047,500.00	
For other expenses	860,000.00	
For equipment purchases	70,000.00	
For automotive equipment purchases	105,000.00	
For transfer to State Personnel Department	8,553.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Boatrd	59,850.00	
For awarding prizes and premiums	20,000.00	
For swine indeminities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,254,403.00

For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner	20,000.00	
For other salaries	1,984,500.00	
For other expenses	845,000.00	
For equipment purchases	40,000.00	
For automotive equipment purchases	75,000.00	
For transfer to State Personnel Department	8,613.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	58,500.00	
For awarding prizes and premiums	20,000.00	
For swine indeminities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,115,113.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1).

The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Dieease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of $100,000.00 shall be transferred to the State General Fund.

(b)	Egg Inspection Division:		
	For the fiscal year ending September 30, 1972:		
	For salaries	63,703.00	
	For other expenses	17,000.00	
	For automotive equipment purchases	7,000.00	
	Total		87,703.00
	For the fiscal year ending September 30, 1973:		
	For salaries	61,645.00	
	For other expenses	17,000.00	
	For automotive equipment purchases	3,500.00	
	Total		82,145.00
	The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.		
(c)	Meat and Poultry Inspection Division:		
	For salaries, other expenses, equipment purchases and automotive equipment purchases		381,000.00
	The above appropriations are payable from the funds transferred to this account in Item III B (1) (b) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government are hereby appropriated.		
(d)	1. Agriculture Center Board:		
	For the fiscal year ending September 30, 1972:		
	For salaries	30,363.00	
	For other expenses	7,000.00	
	For rental (Livestock Coliseum, Montgomery)	59,850.00	
	Total		97,213.00
	For the fiscal year ending September 30, 1973:		
	For salaries	29,238.00	
	For other expenses	7,000.00	
	For rental (Livestock Coliseum, Montgomery)	58,500.00	
	Total		94,738.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in III B (2) (b) and III F (4) (a).

2. Livestock Coliseum:

For the fiscal year ending September 30, 1972:		
For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	11,000.00	
For automotive equipment purchases	3,500.00	
For repairs to Coliseum	11,200.00	
Total		148,700.00
For the fiscal year ending September 30, 1973:		
For salaries	63,000.00	
For other expenses	60,000.00	
For equipment purchases	1,000.00	
Total		124,000.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (31).

(e) Shipping Point Inspection Fund: There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and In-

dustries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act.

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:		
(a) Administrative and Stores Division:		
For the fiscal year ending September 30, 1972:		
For the salary of the Administrator	19,800.00	
For other salaries	8,594,365.00	
For other expenses (Transportation cost for merchandise excluded)	1,881,885.00	
For equipment purchases	180,000.00	
For automotive equipment purchases	4,000.00	
Awards for Convictions, estimated	3,000.00	
For transfer to State Personnel Department	29,314.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education Department for Temperance Education	55,900.00	
For transportation cost on merchandise, estimated	280,000.00	
Total		11,348,264.00
For the fiscal year ending September 30, 1973:		
For the salary of the Administrator	19,800.00	
For other salaries	8,309,452.00	
For other expenses (Transportation cost for merchandise excluded)	2,038,335.00	
For equipment purchases	140,000.00	
Awards for Convictions, estimated	3,000.00	
For transfer to State Personnel Department	29,521.00	
For transfer to Mental Health Department	300,000.00	

For transfer to Education Department for Temperance Education	58,867.00	
For transporattion cost on merchandise, estimated	280,000.00	
Total		11,178,975.00

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending September 30, 1972:		
For salaries	1,241,212.00	
For other expenses	299,064.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	160,000.00	
Total		1,710,276.00
For the fiscal year ending September 30, 1973:		
For salaries	1,238,780.00	
For other expenses	320,464.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	160,000.00	
Total		1,729,244.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending September 30, 1972:		
For salaries	546,467.00	
For other expenses	167,615.00	
For equipment purchases	2,000.00	
Total		716,082.00
For the fiscal year ending September 30, 1973:		
For salaries	538,904.00	
For other expenses	178,275.00	
For equipment purchases	2,000.00	
Total		719,179.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:		
For the fiscal year ending September 30, 1972:		
For salaries	7,371.00	
For other expenses	16,850.00	
For equipment purchases	1,000.00	
Total		25,221.00
For the fiscal year ending September 30, 1973:		
For salaries	7,098.00	
For other expenses	18,050.00	
For equipment purchases	1,000.00	
Total		26,148.00
The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.		
(7) ARMORY COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	451,025.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		856,525.00
For the fiscal year ending September 30, 1973:		
For salaries	449,450.00	
For other expenses	380,500.00	
For equipment purchases	14,500.00	
For automotive equipment purchases	10,500.00	
Total		854,950.00
The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (34) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund:		

(8) ALABAMA COUNCIL ON THE ARTS:
For salaries, other expenses, and equipment purchases 125,000.00

The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Section III, A (7).

(9) DEPARTMENT OF BANKING:
For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated:
For the fiscal year ending September 30, 1972 ..... 371,500.00

For the fiscal year ending September 30, 1973 ..... 361,000.00

The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (11) of this Act.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:
For the fiscal year ending September 30, 1972:

For salaries	94,500.00	
For other expenses	25,000.00	
For equipment purchases	500.00	
Total		120,000.00

For the fiscal year ending September 30, 1973:

For salaries	89,250.00	
For other expenses	25,000.00	
For equipment purchases	500.00	
Total		114,750.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (12) of this Act.

(11) ALABAMA STATE BAR ASSOCIATOION:
For salaries 74,860.00

For other expenses	108,100.00	
For equipment purchases	500.00	
Total		183,460.00

The above appropriation is payable out of the funds in the State Treasury to the Credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For the fiscal year ending September 30, 1972:		
For salaries	2,520.00	
For other expenses	7,450.00	
For equipment purchases	3,250.00	
Total		13,220.00
For the fiscal year ending September 30, 1973:		
For salaries	2,520.00	
For other expenses	6,970.00	
Total		9,490.00

The above appropriations shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending September 30, 1972:		
For salary of the Director	19,800.00	
For other salaries	336,000.00	
For other expenses	145,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	3,500.00	
For transfer to Personnel Department	9,946.00	
Total		518,246.00
For the fiscal year ending September 30, 1973:		
For salary of the Director	19,800.00	
For other salaries	315,000.00	
For other expenses	150,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	3,500.00	

For transfer to Personnel Department	10,017.00	
Total		502,317.00

The above appropriation shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For the fiscal year ending September 30, 1972:		
For salaries	1,847,457.00	
For other expenses	678,347.98	
For equipment purchases	61,442.00	
For automotive equipment purchases	106,150.00	
For transfer to Conservation Department — Administrative Account	195,000.00	
Total		2,888,396.98
For the fiscal year ending September 30, 1973:		
For salaries	1,802,630.00	
For other expenses	677,739.60	
For equipment purchases	19,831.00	
For automotive equipment purchases	92,900.00	
For transfer to Conservation Department — Administrative Account	195,000.00	
Total		2,788,100.60

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(c) State Land Division:

For the fiscal year ending September 30, 1972:		
For salaries	64,575.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	7,000.00	
For transfer to Conservation Department — Administrative Account	5,575.00	
Total		96,150.00
For the fiscal year ending September 30, 1973:		

For salaries	63,658.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
For transfer to Conservation Department — Administrative Account	5,575.00	
Total		91,733.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (a) of this Act.

(d) State Parks Division:

For the fiscal year ending September 30, 1972:

For salaries	1,207,500.00	
For other expenses	460,000.00	
For equipment purchases	51,400.00	
For automotive equipment purchases	73,600.00	
For transfer to Conservation Department — Administrative Account	175,000.00	
Total		1,967,500.00

For the fiscal year ending September 30, 1973:

For salaries	1,260,000.00	
For other expenses	475,000.00	
For equipment purchases	51,400.00	
For automotive equipment purchases	73,600.00	
For transfer to Conservation Department — Administrative Account	175,000.00	
Total		2,035,000.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund, and shall include funds previously received from the one-cent cigarette tax as provided in Act No. 309, 1967 Regular Session. The funds hereinabove appropriated shall also include the appropria-

tions made in Item III B (b) in this Act.

(e) Seafoods Division:		
For the fiscal year ending September 30, 1972:		
For salaries	309,443.00	
For other expenses	112,000.00	
For equipment purchases	23,000.00	
For automotive equipment purchases	10,500.00	
For transfer to Conservation Department — Administrative Account	54,198.00	
For Gulf State Marine Fisheries Commission	5,000.00	
For Auburn University—Fish Disease	3,000.00	
Total		517,141.00
For the fiscal year ending September 30, 1973:		
For salaries	330,330.00	
For other expenses	112,000.00	
For equipment purchases	23,000.00	
For automotive equipment purchases	10,500.00	
For transfer to Conservation Department — Administrative Account	54,198.00	
For Auburn University—Fish Disease	3,000.00	
For entertainment of the Gulf State Fisheries Convention	1,500.00	
For Gulf State Marine Fisheries Commission	5,000.00	
Total		539,528.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Dauphin Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division

shall be paid out of the Seafood Fund.

(f) Water Safety Division:

For the fiscal year ending September 30, 1972:		
For salaries	420,000.00	
For other expenses	145,000.00	
For equipment purchases	161,500.00	
For automotive equipment purchases	50,000.00	
For transfer to Conservation Department — Administrative Account	41,698.00	
Total		818,198.00
For the fiscal year ending September 30, 1973:		
For salaries	388,500.00	
For other expenses	145,000.00	
For equipment purchases	51,500.00	
For automotive equipment purchases	50,000.00	
For transfer to Conservation Department — Administrative Account	41,698.00	
Total		676,698.00

The funds hereinabove appropriated to the Water Safety Division shall be paid out of the State Water Safety Fund.

(14) STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For the fiscal year ending September 30, 1972:		
For salaries	49,630.00	
For other expenses	20,000.00	
For equipment purchases	1,000.00	
Total		70,630.00
For the fiscal year ending September 30, 1973:		
For salaries	50,501.00	
For other expenses	20,000.00	
For equipment purchases	1,000.00	
Total		71,501.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any appli-

cation for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1972:

For the salary of the Commissioner	19,800.00	
For other salaries	4,042,500.00	
For other expenses	3,300,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	59,328.00	
For transfer to the State Personnel Department	14,205.00	
Total		7,545,833.00

For the fiscal year ending September 30, 1973:

For the salary of the Commissioner	19,800.00	
For other salaries	4,042,500.00	
For other expenses	3,400,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	57,204.00	
For transfer to the State Personnel Department	14,305.00	
Total		7,643,809.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

(16) ALABAMA BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1972:

For salaries	78,473.00	
For other expenses	65,000.00	
Total		143,473.00

For the fiscal year ending September 30, 1973:		
For salaries	76,686.00	
For other expenses	65,000.00	
For equipment purchases	6,900.00	
Total		148,586.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(17) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,		
For the fiscal year ending September 30, 1972		3,014.00
For the fiscal year ending September 30, 1973		3,036.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(18) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September 30, 1972:		
For salaries	49,165.00	
For other expenses	28,000.00	
For investigations and court costs	10,000.00	
For equipment purchases	2,000.00	
Total		89,165.00
For the fiscal year ending September 30, 1973:		
For salaries	50,524.00	
For other expenses	30,000.00	
For investigations and court costs	10,000.00	
For equipment purchases	1,000.00	
Total		91,524.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(19) FARMERS MARKET AUTHORITY:		
For the fiscal year ending September 30, 1972:		
For salaries	25,427.00	
For other expenses	16,800.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		46,227.00
For the fiscal year ending September 30, 1973:		
For salaries	25,439.00	
For other expenses	16,800.00	
Total		42,239.00
The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (19) in this Act.		
(20) STATE FORESTRY COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	2,730,000.00	
For other expenses	625,000.00	
For equipment purchases	57,000.00	
For automotive equipment purchases	130,000.00	
For transfer to State Personnel Department	9,231.00	
Total		3,551,231.00
For the fiscal year ending September 30, 1973:		
For salaries	2,677,500.00	
For other expenses	625,000.00	
For equipment purchases	151,750.00	
For automotive equipment purchases	100,000.00	
For transfer to State Personnel Department	9,296.00	
Total		3,563,546.00
The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III, B (4) of this Act.		

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of $300,000.00 for each of the fiscal years ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of $687,100.00 for the fiscal year ending September 30, 1972, and September 30, 1973, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(21) STATE BOARD OF REGISTRATION FOR FORESTERS:

For the fiscal year ending September 30, 1972:

For other expenses	4,505.00	
For equipment purchases	700.00	
Total		5,205.00

For the fiscal year ending September 30, 1973:

For other expenses	4,705.00	
For equipment purchases	700.00	
Total		5,405.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(22) LICENSING BOARD FOR THE HEALING ARTS:

For the fiscal year ending September 30, 1972:

For salaries	35,270.00	
For other expenses	4,000.00	
For equipment purchases	900.00	
For automotive equipment purchases	3,500.00	
Total		43,670.00

For the fiscal year ending September 30, 1973:		
For salaries	34,435.00	
For other expenses	4,000.00	
Total		38,435.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(23) HEALTH DEPARTMENT:

(a) Hospital Licensing:

For the fiscal year ending September 30, 1972:		
For salaries	30,765.00	
For other expenses	9,000.00	
Total		39,765.00
For the fiscal year ending September 30, 1973:		
For salaries	30,576.00	
For other expenses	5,850.00	
Total		36,426.00

The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (23) (h) in this Act.

(b) County Health Work:

For salaries, other expenses and equipment purchases, estimated 1,184,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (23) (c) and funds transferred in Item III F (23) (f) and item III F (23) (g) in this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(c) Indigent Care:

For the fiscal year ending September 30, 1972:

For salaries	14,027.00	
For distribution to counties, estimated	361,111.75	
Total		375,138.75
For the fiscal year ending September 30, 1973:		
For salaries	13,541.00	
For distribution to counties, estimated	362,009.50	
Total		375,550.50

The above appropriations are payable from the funds transferred to this account in Item III A (23) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Medicaid:
For the operation of the Medicaid Program 22,000,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (23) (i) by this Act. In addition to the above appropriations, any and all funds received to the credit of the medicaid program from whatever source including all funds received from the Federal Government are hereby appropriated.

Any funds remaining in the Medicaid Fund on September 30, of each of the fiscal years 1971-72 and 1972-73 shall not revert but may be carried forward and expended for Medicaid purposes in the insuing fiscal year. Any funds received in the fiscal year 1971-72 and 1972-73 as a reimbursement of expenditures incurred in the previous year may be used for Medicaid purposes in these years.

(e) Bureau of Vital Statistics:
For the fiscal year ending September 30, 1972:

For salaries	315,293.00	
For other expenses	35,000.00	
For equipment purchases	12,000.00	
Total		362,293.00
For the fiscal year ending September 30, 1973:		
For salaries	311,040.00	
For other expenses	35,000.00	
For equipment purchases	4,000.00	
Total		350,040.00

The above appropriations are payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(f) Health Department:

For the fiscal year ending September 30, 1972:		
For salaries	915,000.00	
For transfer to the County Health Work Account	375,000.00	
Total		1,290,000.00
For the fiscal year ending September 30, 1973:		
For salaries	951,750.00	
For transfer to the County Health Work Account	375,000.00	
Total		1,326,750.00

The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(g) Health Department:

For the fiscal year ending September 30, 1972:		
For salaries	477,210.00	
For other expenses	475,000.00	
For equipment purchases	25,000.00	
For transfer to the County Health Work Account	384,000.00	
Total		1,361,210.00
For the fiscal year ending September 30, 1973:		
For salaries	470,528.00	
For other expenses	475,000.00	

For equipment purchases	25,000.00	
For transfer to the County Health Work Account	384,000.00	
Total		1,354,528.00

The above appropriations are payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(24) HIGHWAY AND BRIDGES:

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated for transfer to the State Personnel Department the following amounts:

For the fiscal year ending September 30, 1972		27,390.00
For the fiscal year ending September 30, 1973		28,237.00

(The above appropriations to the State Personnel Department are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)

In addition to any and all appropriations heretofore or hereafter made from the revenues accruing to the State Highway Department, there is hereby appropriated, to provide for salary increases for Highway Department Personnel, the following amounts:

(a) For Administration of the State Highway Department	67,246.00	
(b) For Operations of the State Highway Department	589,546.00	
(c) For Supervision of the State Highway Department	209,267.00	
(d) For the maintenance of roads and bridges in the State Highway Department	493,972.00	

(e) For construction of Feeder Roads and other portions of, or work in respect to, Federal Aid Projects for which portions or

Work Federal Matching Funds are not available	461,279.00	
(f) For construction of roads and bridges for which no matching funds are available	150,502.00	
For the fiscal year ending September 30, 1972, Total		1,971,812.00
For the fiscal year ending September 30, 1973, Total		1,971,812.00
(The above appropriations are in addition to the amounts appropriated by Act No. 90, 1971 Special Session.)		
(25) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For salaries, other expenses and equipment purchases		75,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (24) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the federal government are hereby appropriated.		
(26) ALABAMA HISTORICAL COMMISSION:		
For the fiscal year ending September 30, 1972:		
For salaries	59,745.00	
For other expenses	10,000.00	
For equipment purchases	2,000.00	
Total		71,745.00
For the fiscal year ending September 30, 1973:		
For salaries	56,070.00	
For other expenses	10,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
Total		71,570.00
The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III A (25) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical		

Commission from whatever source are hereby appropriated.

(27) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the fiscal year ending September 30, 1972:

For the salary of the Director, estimated		19,800.00
For transfer to the State Personnel Department		25,960.00

For the fiscal year ending September 30, 1973:

For salary of the Director, estimated		19,800.00
For transfer to the State Personnel Department		26,144.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (27), all such sums as the United States Government may make available therefor.

(28) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1972:

For salaries	94,500.00	
For other expenses	32,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	7,000.00	
Total		134,500.00

For the fiscal year ending September 30, 1973:

For salaries	89,250.00	
For other expenses	32,000.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		125,250.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title

28, Section 325, Code of Alabama 1940.

(29) LAW ENFORCEMENT FUND		8,000.00
The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such fund are limited to the amount appropriated herein.		
(30) LIQUIFIED PETROLEUM GAS BOARD:		
For the fiscal year ending September 30, 1972:		
For salary of Director, estimated	13,824.00	
For other salaries	33,368.00	
For other expenses	15,775.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		66,967.00
For the fiscal year ending September 30, 1973:		
For salary of Director, estimated	13,824.00	
For other salaries	32,132.00	
For other expenses	15,775.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,500.00	
Total		65,731.00
The above appropriations shall be paid from receipts paid into the Liquified Petroleum Gas Fund.		
(31) MILK CONTROL BOARD:		
For the fiscal year ending September 30, 1972:		
For salaries	104,492.00	
For other expenses	49,335.00	
For equipment purchases	500.00	
Total		154,327.00
For the fiscal year ending September 30, 1973:		
For salaries	105,920.00	
For other expenses	44,510.00	
For equipment purchases	500.00	
Total		150,930.00

The above appropriations shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(32) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For the fiscal year ending September 30, 1972:

For salaries	92,267.70	
For other expenses	57,367.75	
For equipment purchases	7,300.00	
Total		156,935.45

For the fiscal year ending September 30, 1973:

For salaries	104,797.00	
For other expenses	47,617.75	
For equipment purchases	3,500.00	
For automotive equipment purchases	3,500.00	
Total		159,414.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(33) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated 16,800.00

The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(34) PENSIONS:

(a) For Confederate Veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate Soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(35) DEPARTMENT OF PENSIONS AND SECURITY:		
For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner		19,800.00
For transfer to the State Personnel Department		51,317.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner		19,800.00
For transfer to State Personnel Department		51,680.00
For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (35), all Federal, State, County and Municipal funds made available therefor.		
(36) PERSONNEL DEPARTMENT:		
For the fiscal year ending September 30, 1972:		
For salary of the Director, estimated	18,000.00	
For other salaries	293,956.00	
For other expenses	89,852.90	
For equipment purchases	2,154.00	
For automotive equipment purchases	3,200.00	
Total		407,162.90
For the fiscal year ending September 30, 1973:		
For salary of the Director, estimated	18,000.00	
For other salaries	293,673.00	
For other expenses	92,102.90	
For equipment purchases	6,434.00	
Total		410,209.90
The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.		
(37) ALABAMA DEVELOPMENT OFFICE:		
For the fiscal year ending September 30, 1972:		

For the salary of the Director	19,800.00	
For other salaries	892,500.00	
For other expenses	350,000.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	10,500.00	
For National Advertising and Industrial Promotion	200,000.00	
For Contracts	122,000.00	
For Feasibility Study-City of Talladega	25,000.00	
Total		1,629,800.00
For the fiscal year ending September 30, 1973:		
For the salary of the Director	19,800.00	
For other salaries	840,000.00	
For other expenses	350,000.00	
For equipment purchases	5,000.00	
For National Advertising and Industrial Promotion	150,000.00	
For Contracts	82,000.00	
Total		1,446,800.00

The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (17) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(38) BOARD OF EXAMINERS OF PSYCHOLOGY:
For salaries, other expenses, and equipment purchases, estimated 2,500.00

The above appropriation shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (39).

(39) BUREAU OF PUBLICITY AND INFORMATION:

For the fiscal year ending September 30, 1972:		
For salaries	63,000.00	
For other expenses	45,000.00	
For equipment purchases	4,000.00	
For advertising	400,000.00	
For Welcome Centers:		
Operation and Maintenance	50,000.00	
Total		562,000.00

For the fiscal year ending September 30, 1973:		
For salaries	63,000.00	
For other expenses	45,000.00	
For advertising	400,000.00	
For Welcome Centers:		
Operation and Maintenance	50,000.00	
Total		558,000.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(40) PUBLIC SCHOOL FUND:
For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars ($100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(41) PUBLIC SERVICE COMMISSION:

For the fiscal year ending September 30, 1972:		
For salary of the President and Two Associate Commissioners	54,500.00	
For other salaries	472,500.00	
For other expenses	175,000.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	10,500.00	
Total		722,500.00
For the fiscal year ending September 30, 1973:		
For salary of the President and Two Associate Commissioners	54,500.00	
For other salaries	446,250.00	
For other expenses	175,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	10,500.00	
Total		691,250.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of $150,000.00 shall be transferred to the State General Fund.

(42) ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1972:

For salaries	45,578.00	
For other expenses	30,000.00	
For equipment purchases	500.00	
Total		76,078.00

For the fiscal year ending September 30, 1973:

For salaries	45,578.00	
For other expenses	30,000.00	
For equipment purchases	500.00	
Total		76,078.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the total expenditure shall in no manner exceed the amounts hereby appropriated.

(43) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (42) (a) of this Act.

For the fiscal year ending September 30, 1972	894,065.30
For the fiscal year ending September 30, 1973	895,204.85

There is hereby appropriated for transfer to Revenue Department,

Administrative Account from the gross proceeds of Financial Institution Excise Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 ..... 98,603.17

For the fiscal year ending September 30, 1973 ..... 98,728.85

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 ..... 100,499.39

For the fiscal year ending September 30, 1973 ..... 100,627.48

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 ..... 659,882.77

For the fiscal year ending September 30, 1973 ..... 660,723.84

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax Collections, for the cost of collecting said tax,

For the fiscal year ending September 30, 1972 ..... 2,192,024.37

For the fiscal year ending September 30, 1973 ..... 2,194,818.27

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1972 ..... 381,139.18

For the fiscal year ending September 30, 1973 ..... 381,624.98

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department, For the fiscal year ending September 30, 1972	385,879.72
For the fiscal year ending September 30, 1973	386,371.56
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax, For the fiscal year ending September 30, 1972	117,565.32
For the fiscal year ending September 30, 1973	117,715.16
There is hereby appropriated for transfer to Revenue Department Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax, For the fiscal year ending September 30, 1972	291,068.98
For the fiscal year ending September 30, 1973	291,439.97
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department, For the fiscal year ending September 30, 1972	3,050,061.59
For the fiscal year ending September 30, 1973	3,053,949.13
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department, For the fiscal year ending September 30, 1972	57,834.55
For the fiscal year ending September 30, 1973	57,908.27

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 628,595.22

For the fiscal year ending September 30, 1973 ..... 629,396.42

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 300,550.05

For the fiscal year ending September 30, 1973 ..... 300,933.13

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department,
For the fiscal year ending September 30, 1972 ..... 127,046.39

For the fiscal year ending September 30, 1973 ..... 127,208.33

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session,
For the fiscal year ending September 30, 1972 ..... 196,258.24

For the fiscal year ending September 30, 1973 ..... 196,508.38

For the fiscal year neding September 30, 1972:
Total 9,481,074.24

For the fiscal year ending September 30, 1973:
Total 9,493,158.62

There is hereby appropriated to the Revenue Department from the gross

proceeds of Motor Vehicle License collections for the purpose only, of Motor Vehicle License tags,		
For the fiscal year ending September 30, 1972		1,160,000.00
For the fiscal year ending September 30, 1972		1,210,000.00
(44) DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:		
For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner	19,800.00	
For other salaries	6,828,526.00	
For other expenses, estimated	1,756,850.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	21,000.00	
For transfer to State Personnel Department	15,778.00	
Total		8,671,954.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner	19,800.00	
For other salaries	6,758,735.00	
For other expenses, estimated	1,844,350.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	21,000.00	
For transfer to State Personnel Department	15,895.00	
Total		8,689,780.00
The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.		
(45) STATE BOARD OF REGISTRATION FOR SANITARIANS:		
For salaries	945.00	
For other expenses	1,480.00	
Total		2,425.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, Second Special Session, 1964.

(46) TEMPERANCE EDUCATION:

For the fiscal year ending September 30, 1972:

For salaries	41,659.00	
For other expenses	14,775.00	
For equipment purchases	1,000.00	
Total		55,434.00

For the fiscal year ending September 30, 1973:

For salaries	45,825.00	
For other expenses	14,775.00	
Total		60,600.00

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(47) BOARD OF PHYSICAL THERAPIST:

For the fiscal year ending September 30, 1972:

For expenses	2,150.00	
For equipment purchases	200.00	
Total		2,350.00

For the fiscal year ending September 30, 1973:

For expenses		2,500.00

The above appropriations shall be paid from receipts paid into the Board of Physical Therapist Fund.

(48) UNIVERSITY OF ALABAMA—MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated		23,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(49) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	105.00	
For other expenses	6,650.00	

For equipment purchases	250.00	
Total		7,000.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is sufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event of the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. All acts of the Governor of the State of Alabama and all other state officials pertaining to expenditures of state funds made to insure and to provide for the continuity of and the operation of the State Government and the public school system of the State of Alabama from

October 1, 1971, until the effective date of this Act are hereby ratified and approved.

Section 8. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Amend H. B. No. 1, Section 2, III F. (4) on Page 38 of said Bill wherein funds are appropriated to "AGRICULTURE AND INDUSTRIES" as follows:

In Item (a) on Page 38 of said Bill for the fiscal year ending September 30, 1972 and immediately following the figures "50,000.00", add the following words and figures:

"For salaries, other expenses, equipment purchases and automotive equipment purchases ..... 60,000.00"

Also in said item (a) strike out the following figures "$3,254,-403.00" opposite the word "Total" and insert in lieu thereof the figures "$3,314,403.00".

Further amend said Item (a) of said appropriation to AGRICULTURE AND INDUSTRIES on Page 39 for the fiscal year ending September 30, 1973 and immediately following the figures "50,000.00", add the following words and figures:

"For salaries, other expenses, equipment purchases and automotive equipment purchases ..... 60,000.00"

Also strike from said item on page 39 the figures "3,115,113.00 opposite the word "Total" and insert in lieu thereof the figures "3,175,113.00".

Amend House Bill No. 1, in Section 2, III. A (23) (a), page 15, by deleting the phrase:

"(To be expended in accordance with Act No. 1135, 1969 Regular Session)".

Amend House Bill 1 by adding at the end of the second paragraph Section 2, III, F, (23), (d) on page 60 of said bill the following (which will be the third paragraph of said subsection (d)):

"In addition to other services provided, this appropriation shall include Optometric services and Pharmacist services."

Amend Section III, Subsection C (2), by deleting the figures "$5,718,000.00" and substituting the figures "$5,928,000.00".

Amend Section III, Subsection F (15), by deleting it in its entirety and inserting therein the following:

"(15) BOARD OF CORRECTIONS:		
For the fiscal year ending September 30, 1972:		
For the salary of the Commissioner	19,800.00	
For other salaries	4,232,500.00	
For other expenses	3,300,000.00	
For equipment purchases	35,000.00	
For automotive equipment pudrchases	75,000.00	
For Debt Service, estimated	59,328.00	
For transfer to the State Personnel Department	14,205.00	
		7,735,833.00
For the fiscal year ending September 30, 1973:		
For the salary of the Commissioner	19,800.00	
For other salaries	4,232,500.00	
For other expenses	3,400,000.00	
For equipment purchases	35,000.00	
For automotive equipment purchases	75,000.00	
For Debt Service, estimated	57,204.00	
For transfer to the State Personnel Department	14,305.00	
		7,833,809.00
The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provilded in Item III C (2)."		

Amendment to Substitute for House Bill 1: Section 111, Item 42 (c), Page 23, by inserting: 42 (c) Department of Revenue.

For transfer to the Department of Revenue for the General Fund's share of the cost of operating permanent and portable truck weighing facilities for enforcing the provisions of Chapter 3, Title 36, Code of Alabama 1940, as amended, and Chapter 20, Title 51, Code of Alabama 1940, as amended.

For the fiscal year ending September 30, 1972 ..... $–0–

For the fiscal year ending September 30, 1973 ..... $500,000

(The above appropriation shall be conditional upon the condition of the General Fund and with the approval of the Governor.)

Amend Section III, E of Substitute for House Bill 1 by adding the following at the end of Section III, E of Substitute for House Bill 1:

"(55) For the purchase of Alabama Code for the fiscal year ending September 30, 1972 ..... $75,000.00"

Amend Substitute for H. B. 1, by adding at the end of III, Section E (54) the following:

"(56) For the Tannehill Furnace and Foundry Commission 10,000.00

(To carry out the provisions of Act No. 994, 1969 Regular Session.)

Amendment to the Substitute for HB 1:

On Page 2, Section (1), paragraph 1, strike the figures $500,000.00 and insert the figures $750,000 and add the following immediately there after:

"For the Fiscal year ending Sept. 30, 1973, $750,000. In the Second Paragraph strike 1,250,000 and insert 1,000,000 and strike out in the Third Paragraph the figures 2,000,000 and insert $1,250,000.

Amendment to the Substitute for HB 1:

On Page 2, Section (1), paragraph 1, strike the figures $500,000.00 and insert the figures $750,000.

And add the following immediately thereafter:

"For the fiscal year ending Sept. 30, 1973, $750,000."

In the Second Paragraph, strike 1,250,000 and insert 1,000,000.

And strike out in the Third Paragraph the figures 2,000,000 and insert, $1,250,000.

Amendment to Substitute for H.B. 1:

In Section 2, under III E, add after item (56) the following: (57) Cherokee County Arts Council Inc. $1,000.00

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Reid (R)
Adams	Crowe	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Baker	Downing	Lang	St. John
Bank	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Boutwell	Falkenburg	Mathews	Straiton
Bowers	Fite	May	Stubbs
Brassell	Flippo	Meeks	Taylor
Callahan	Gafford	Merrill	Timmons
Carnes	Gloor	Mims	Turner
Carter	Grainger	Naramore	Waggoner
Casey	Gray (F)	Nettles	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Cherner	Hardin	Owens	Warren
Chesnut	Harris	Parker (H)	Weeks
Collins	Headley	Parker (T)	Williams
Connell	Hill	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Jackson	Reed (T)	Wynot
Crawford			

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And the bill, H. 1, as thus amended, was again read and passed.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reed (T)
Adams	Cross	Jackson	Reid (R)
Adwell	Crowe	Jones (E)	Reynolds
Agee	Dill	Jones (F)	Roberts
Baker	Doss	King	Robertson
Bank	Downing	Kinsey	St. John
Barkett	Drake	Lang	Smith (K)
Bassett	Easters	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McCorquodale	Stokes
Bowers	Falkenburg	Manley	Straiton
Brassell	Fite	Mathews	Stubbs
Burgess	Flippo	May	Taylor
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	Nettles	Wallace
Cherner	Grey (D)	O'Daniel	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker (H)	Williams
Connell	Headley	Parker (T)	Wise
Coshatt	Hearn	Perloff	Wood
Cottingham	Hill	Pruitt	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 7. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public School and College Authority to sell and issue additional bonds for the purpose of reconstruction, improvement, alteration, repair and renovation of facilities to eliminate existing or potential fire hazards so as to make such facilities fireproof at Alabama State Hospitals and the Partlow State School and Hospital; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 2. Creating a Science, Engineering and Technology Study Commission.

Also:

S. J. R. 14. Congratulating Senator and Mrs. Crum Foshee on the birth of a son.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Gloor and Lyons:

H. J. R. 17. COMMENDING WALTER M. ANDERSON, JR. FOR HIS LONG SERVICE TO THE RAILROAD INDUSTRY.

WHEREAS Walter M. Anderson, Jr. has faithfully served the Railroad Industry for forty-seven years; and

WHEREAS Walter M. Anderson, Jr. has faithfully served the Alabama Railroad Association as its Legislative Representative for thirty-seven years; and

WHEREAS Walter M. Anderson, Jr. is a native of Montgomery, having attended Sidney Lanier High School and having lived in Montgomery all his life; and

WHEREAS Walter M. Anderson, Jr. has long been married to a graceful and charming lady, Mrs. Virginia Stahlnecker Anderson, who blessed him with one son, W. Mark Anderson, III, a Montgomery attorney, and last but not least, he is the proud grandfather of W. Mark Anderson, IV; and

WHEREAS Walter M. Anderson is the oldest association representative to work with the legislature; and

WHEREAS Walter M. Anderson is the Dean of State Representatives for the Railroad Associations in the United States, having served the longest of any association representative; and

WHEREAS Walter M. Anderson, Jr. over the years has shown great knowledge of the legislative process and earned the respect of governors, legislators, state officials and many private citizens for his dedication and sound judgement; and

WHEREAS Walter M. Anderson, Jr. has long been a faithful friend of all legislators; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body is deeply appreciative of the long and valuable service rendered the State by a man whose talents and skill has contributed so much to the Railroad Industry.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to W. Mark Anderson, III, and W. Mark Anderson, IV.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 17, was adopted.

Also:

By Mr. Merrill:

H. J. R. 18. EXTENDING A HEARTY WELCOME TO THE HONORABLE JAMES SHEN, NATIONALIST CHINESE AMBASSADOR TO THE UNITED STATES.

WHEREAS Mr. James Shen, the Nationalist Chinese Ambassador to the United States, is scheduled to visit Anniston, Alabama on November 23, 1971, at the invitation of the Anniston Rotary Club; and

WHEREAS Ambassador Shen will speak at Jacksonville State University and before the Anniston Rotary Club, and will be greeted by Governor George C. Wallace on this visit; and

WHEREAS Ambassador Shen, like the country he represents, has had a long and friendly relationship with this Nation as indicated by the following biographic sketch:

BIRTH:	Born in Shanghai, 1909
EDUCATION:	B.A. Yenching Univ., Peiping, 1932 M.A. University of Missouri, 1935
CAREER BACKGROUND	Reporter, China Press, Shanghai 1932-34 Editor, Central News Agency, Nanking 1936-37 Chief, Editorial Section International Dept. Ministry of Information 1938-43 Director, Pacific Coast Bureau, San Francisco Ministry of Information 1943-47 Director, International Department Government Information Office 1947-48 Night Editor, The China Mail, Hongkong 1949 Chinese Program Director Rediffusion Broadcasting Co. Hongkong 1949-55 Secretary to the President, Chiang Kai-Shek Taipei 1956-59 Director, Information Department Ministry of Foreign Affairs, Taipei 1959-61 Director, Government Information Office 1961-66 Ambassador to Australia 1966-68 Vice Minister of Foreign Affairs 1968-1971,

now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily welcome Ambassador James Shen of Nationalist China to the State of Alabama, and do express to his people the best wishes and good will of the people of the State of Alabama.

On motion of Mr. Merrill, the rules were suspended and the resolution, H. J. R. 18, was adopted.

Also:

By Messrs. Roberts and Robertson:

H. J. R. 19. COMMENDING PATRICK JOSEPH SULLIVAN FOR BEING NAMED THE NATIONAL COLLEGE BACK OF THE WEEK BY THE ASSOCIATED PRESS.

WHEREAS Patrick Joseph Sullivan, a senior at Auburn University, from Birmingham, has exemplified his ability and character in the field of athletics and sports; and

WHEREAS Patrick Joseph Sullivan has brought national recognition to his home state of Alabama by being selected the National College Back of the Week by the Associated Press; and

WHEREAS the Legislature wishes to congratulate and honor Patrick Joseph Sullivan; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Sullivan is hereby congratulated on behalf of the State of Alabama for his outstanding achievement.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Mr. Sullivan.

On motion of Mr. Roberts, the rules were suspended and the resolution H. J. R. 19, was adopted.

Also:

By Messrs. Roberts and Robertson:

H. J. R. 20. COMMENDING TERRY PAUL BEASLEY FOR BEING NAMED THE ASSOCIATED PRESS SOUTHEASTERN COLLEGE LINEMAN OR THE WEEK.

WHEREAS Terry Paul Beasley, a senior at Auburn University, from Montgomery has exemplified his ability and character in the field of athletics and sports; and

WHEREAS Terry Paul Beasley has brought national recognition to his home state of Alabama by being named the Southeastern College Lineman of the Week by the Associated Press; and

WHEREAS the Legislature wishes to congratulate and honor Terry Paul Beasley; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Beasley is hereby congratulated on behalf of the State of Alabama for his outstanding achievement.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Mr. Beasley.

On motion of Mr. Roberts, the rules were suspended and the resolution, H. J. R. 20, was adopted.

Also:

By Mr. Easters:

H. J. R. 21. NAMING THE ELBA AIRPORT "THE CARL FOLSOM AIRPORT."

WHEREAS Carl Folsom pioneered the establishment and development of the Elba Airport; and

WHEREAS the Elba Airport has contributed substantially to the industrial and economic growth of Elba and the surrounding area; and

WHEREAS the late Carl Folsom sacrificed his life for his home and his country on Luzon in World War II, it is most fitting that this facility bear his name as a perpetual memorial to this outstanding citizen and patriot; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Elba Airport be named and known as "The Carl Folsom Airport."

BE IT FURTHER RESOLVED That the authorities of said airport so designate said airport by appropriate signs, plaques or otherwise.

On motion of Mr. Easters, the rules were suspended and the resolution, H. J. R. 21, was adopted.

Also:

By Mr. Easters:

H. J. R. 22. MEMORIALIZING THE PRESIDENT AND CONGRESS TO DO ALL IN THEIR POWER TO SECURE THE FREEDOM OF THE PRISONERS OF WAR IN VIETNAM.

WHEREAS the involvement of this country in Vietnam appears to be drawing to a close with the rapid withdrawal of our troops from Vietnam; and

WHEREAS the release of our prisoners of war by North Vietnam has not yet been secured by even a tentative agreement; and

WHEREAS the people of this State and their duly elected representatives in this Legislature are vitally concerned that the release of these men who have given so much for their country be secured, now therefore,

BE IT RESLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do encourage the President and Congress to use all honorable means at their disposal to secure the release of our prisoners of war by North Vietnam.

BE IT FURTHER RESOLVED That the Clerk of the House send copies of this resolution to the President and the members of Congress.

On motion of Mr. Easters, the rules were suspended and the resolution, H. J. R. 22, was adopted.

Also:

By Messrs. Hobbie, Jones (F), Taylor, Harris and Straiton:

H. J. R. 23. ON THE DEATH OF GENERAL "CHESTY" PULLER.

WHEREAS General Lewis Burwell (Chesty) Puller, the Marine Corps' most decorated man died on October 11, 1971, after a lengthy illness; and

WHEREAS General Puller fought and commanded troops in two world wars and in the Korean conflict. He won almost every existing medal awarded for valor. His name for three decades inspired men from Nicarauga to Warsaw. His valor made him beloved among the enlisted men of the corps and all marines shared a tremendous pride in his leadership; and

WHEREAS the memory of his fighting heritage caused him to conduct himself under fire with a daring foreign to the nature of most men. Both of his grandfathers and an uncle fought with distinction with the Confederate army, and one uncle fought on the Union side; now therefore,

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby unite in honoring the courage of General "Chesty" Puller. We hereby express our deep regret at his passing and extend our sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the family of General Puller.

On motion of Mr. Hobbie, the rules were suspended and the resolution, H. J. R. 23, was adopted.

Also:

By Messrs. Hobbie, Taylor, Jones (F), Harris and Straiton:

H. J. R. 24. MOURNING THE DEATH OF JIM AMON OF MONTGOMERY.

WHEREAS Mr. Jim Amon, a native Montgomerian, recently lost his life in a tragic automobile accident; and

WHEREAS Mr. Amon, left Montgomery 19 years ago and recently returned to Montgomery to become director of the Chisholm Zoo; and

WHEREAS Mr. Amon had previously been with the Crandon Park Zoo on Key Biscayne, Miami, Florida. Starting as a Zoo Keeper, he was promoted to curator of mammals in 1964. In 1968 he took on the additional duties of public information director for the Crandon Park Zoo; and

WHEREAS he had written many articles on Zoo life for national publications and was widely known in the Zoo keeping profession; and

WHEREAS Montgomery will sadly miss the services of this fine young man; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do express their sincere sorrow and regret at the death of this fine young man.

BE IT FURTHER RESOLVED, That the Clerk of the House send copies of this resolution to his bereaved family.

On motion of Mr. Hobbie, the rules were suspended and the resolution, H. J. R. 24, was adopted.

Also:

By Mr. Gloor:

H. J. R. 25. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn Friday, Nov. 19, 1971, they adjourn sine die.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 25, was adopted.

Also:

By Messrs. Crowe, Robertson and Stewart:

H. R. 26. TO CREATE A JOINT LEGISLATIVE COMMISSION TO STUDY THE STATE DEPARTMEN OF EDUCAION.

WHEREAS the fiscal needs of education in Alabama have reached the point where intensive scrutiny of all expenditures in this field have become necessary; and

WHEREAS since the legislature bears the full responsibility for the distribution of funds to all facets and all levels of education, and for the efficient and economical operation of the State Department of Education; now therefore,

BE I RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the State Department of Education Study Commission be created, which shall be a committee of three representatives appointed by the speaker, two parents with children in public schools, and three representatives from the Education Study Commission. Such commission shall meet within thirty days from the approval of this resolution, shall elect a chairman, and from that time on meet at his call.

BE IT FURTHER RESOLVED That sufficient funds be allocated from funds appropriated to the legislature to pay the actual expenses of the commission in the performance of its duties, which shall include any necessary personnel.

BE IT FURTHER RESOLVED That the State Department of Education Study Commission shall be charged with making a complete and thorough survey of the salaries and duties of the officers and employees of said department, the costs of equipment and supplies necessary to operate the department, the functions and duties of each agency within the department, and with making an evaluation of the services rendered by the department in relation to its expenditures.

The motion of Mr. Crowe to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. R. 26, was lost.

Yeas 26; Nays 53.

Yeas:

Messrs.:	Carter	Doss	Hearn
Bassett	Crawford	Downing	Kinsey
Boutwell	Cross	Flippo	Lang
Burgess	Crowe	Hardin	McCluskey

May	Parker (T)	Reid (R)	Warren	
Merrill	Pruitt	Robertson	Williams	
Mims	Reed (T)	Stewart		—26

Nays:

Mr. Speaker	Collins	Hill	Smith (K)	
Adams	Cottingham	Hobbie	Snell	
Adwell	Dill	Jackson	Stokes	
Agee	Drake	Jones (F)	Straiton	
Baker	Easters	King	Stubbs	
Barkett	Edwards	Lutz	Timmons	
Benton	Ellis	McBride	Turner	
Bowers	Fite	Naramore	Waggoner	
Brassell	Gafford	Nettles	Waldrop	
Callahan	Gloor	Owens	Wallace	
Carnes	Goodwin	Reynolds	Weeks	
Casey	Grainger	Roberts	Wood	
Cauthen	Headley	St. John	Wynot	
Chesnut				—53

And the resolution, H. R. 26, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 19. To further amend Section 13 of Act Number 418 approved November 13, 1959, as amended:

To authorize the governing body of DeKalb county, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline, other liquid fuel or devises or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provisions of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Was taken up.

H. 19 INDEFINITELY POSTPONED

On motion of Mr. Baker, the bill, H. 19, was indefinitely postponed.

And the bill:

H. 100. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Was taken up.

H. 100 INDEFINITELY POSTPONED

On motion of Mr. Naramore, the bill, H. 100, was indefinitely postponed.

And the bill:

S. 1. Relating to the jury commission in all counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; providing for the number, terms, and compensation of the members of such commission.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Baker	Downing	Kinsey	Smith (K)
Bank	Drake	Lutz	Smith (P)
Barkett	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stokes
Benton	Ellis	McCorquodale	Straiton
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Timmons
Callahan	Gafford	Mims	Turner
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	Nettles	Waldrop
Casey	Grainger	O'Daniel	Wallace
Cauthen	Gray (F)	Owens	Warren
Cherner	Grey (D)	Parker (H)	Weeks
Chesnut	Hardin	Perloff	Williams
Collins	Harris	Pruitt	Wise
Connell	Headley	Reed (T)	Wood
Cottingham	Hearn	Reid (R)	Wynot
Crawford	Hill		

—90

And the bill:

S. 2. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis, providing retroactive effect to September 1, 1971.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adams	Benton	Carnes	Cottingham
Adwell	Boles	Carter	Crawford
Agee	Boutwell	Casey	Cross
Baker	Bowers	Cauthen	Crowe
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Collins	Doss

Downing	Headley	Naramore	Stokes
Drake	Hearn	Nettles	Straiton
Easters	Hill	O'Daniel	Stubbs
Edwards	Hobbie	Owens	Taylor
Ellis	Jackson	Parker (H)	Timmons
Falkenburg	Jones (E)	Perloff	Turner
Fite	Jones (F)	Pruitt	Waggoner
Flippo	King	Reed (T)	Waldrop
Gafford	Kinsey	Reid (R)	Wallace
Gloor	Lutz	Reynolds	Warren
Goodwin	McBride	Roberts	Weeks
Grainger	McCorquodale	Robertson	Williams
Gray (F)	Manley	St. John	Wise
Grey (D)	Mathews	Smith (K)	Wood
Hardin	May	Smith (P)	Wynot
Harris	Mims	Snell	—91

And the bill:

S. 9. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reid (R)
Adams	Cross	Jackson	Reynolds
Adwell	Crowe	Jones (E)	Roberts
Agee	Dill	Jones (F)	Robertson
Baker	Doss	King	St. John
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McCorquodale	Straiton
Boutwell	Falkenburg	Manley	Taylor
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Mims	Waggoner
Callahan	Gloor	Naramore	Waldrop
Carnes	Goodwin	Nettles	Wallace
Carter	Grainger	O'Daniel	Warren
Casey	Gray (F)	Owens	Weeks
Cauthen	Grey (D)	Parker (H)	Williams
Chesnut	Hardin	Parker (T)	Wise
Collins	Harris	Perloff	Wood
Connell	Hearn	Pruitt	Wynot
Cottingham	Hill	Reed (T)	—91

And the bill:

S. 15. Relating to DeKalb County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Reid (R)
Adams	Crowe	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Baker	Downing	Lutz	St. John
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	Manley	Stokes
Boles	Falkenburg	Mathews	Straiton
Boutwell	Fite	May	Stubbs
Bowers	Gafford	Meeks	Taylor
Brassell	Gloor	Mims	Timmons
Callahan	Goodwin	Naramore	Turner
Carnes	Grainger	Nettles	Waggoner
Carter	Gray (F)	O'Daniel	Waldrop
Casey	Grey (D)	Owens	Wallace
Cauthen	Hardin	Parker (H)	Warren
Chesnut	Harris	Parker (T)	Weeks
Collins	Headley	Perloff	Williams
Connell	Hearn	Pruitt	Wood
Cottingham	Hill	Reed (T)	Wynot
Crawford	Hobbie		—90

And the bill:

S. 16. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Headley
Adams	Carter	Drake	Hearn
Adwell	Casey	Easters	Hill
Agee	Cauthen	Edwards	Hobbie
Baker	Chesnut	Ellis	Jackson
Bank	Collins	Falkenburg	Jones (E)
Barkett	Connell	Fite	Jones (F)
Bassett	Coshatt	Flippo	King
Benton	Cottingham	Gafford	Kinsey
Boles	Crawford	Goodwin	Lutz
Boutwell	Cross	Grainger	McBride
Bowers	Crowe	Gray (F)	McCluskey
Brassell	Dill	Hardin	McCorquodale
Callahan	Doss	Harris	Manley

Mathews	Parker (T)	Smith (K)	Waggoner	
May	Perloff	Smith (P)	Waldrop	
Meeks	Pruitt	Snell	Wallace	
Mims	Reed (T)	Stokes	Warren	
Naramore	Reid (R)	Straiton	Weeks	
Nettles	Reynolds	Stubbs	Williams	
O'Daniel	Roberts	Taylor	Wood	
Owens	Robertson	Timmons	Wynot	
Parker (H)	St. John	Turner		—91

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 34. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Gloor, the House recessed until 3:30 o'clock this afternoon.

HOUSE RECONVENED

The hour of 3:30 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 15. Expressing the Legislature's faith in Representative Ralph Reid of Blount County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 5. Commending Hewitt-Trussville Elementary School on its instructional program.

Also:

H. J. R. 6. Commending Holt High School Football Team on an undefeated season.

Also:

H. J. R. 7. COMMENDING ABBEVILLE FOOTBALL TEAM

Also:

H. J. R. 9. Mourning the Death of James Edwin Livingston, Former Chief Justice of the Alabama Supreme Court.

Also:

H. J. R. 10. Mourning the Death of Grover C. Hall, Jr.

Also:

H. J. R. 11. Mourning the Death of Royce Gideon Kershaw of Montgomery.

Also:

H. J. R. 12. NAMING THE CHEMISTRY BUILDING AT AUBURN UNIVERSITY FOR DEAN CHARLES RICHARD SAUNDERS.

Also:

H. J. R. 16. Commending the W. S. Neal Football Team.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 71. To repeal section 506, Act No. 1407, S. 414, Regular Session 1971, entitled "Alabama Uniform Controlled Substances Act."

Also:

H. 11. Relating to corporations organized for the purpose of establishing regional mental health programs and facilities; to exempt from all taxation such corporations which are certified or licensed by the State Board of Health under the provisions of Act No. 881, adopted at the 1965 Regular Session of the Legislature of Alabama.

Also:

H. 15. Relating to Cullman County levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 48. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Also:

H. 83. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Also:

H. 44. To amend the title and Section 1 of Act No. 620, H. 795, Regular Session 1967 (Acts 1967, p. 1425) which provides for an expense allowance for the coroner of certain counties classified on a population basis; to make the provisions of this Act retroactive.

Also:

H. 41. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to authorize the county commission of any such county to provide a clerk hire allowance for the circuit clerk not to exceed $500 per month.

Also:

H. 24. To set the salary of the clerk of the jury commission of any county having a population of not less than 38,100 nor more than 40,500, according to the last or any subsequent federal decennial census.

Also:

H. 55. To apply in all counties of Alabama having populations of not less than 115,000 and not more than 150,000 according to the latest or any subsequent federal decennial census and to remove all such counties from the operation of Act No. 476, H. 8, Regular Session 1965, approved August 20, 1965, and all acts amendatory thereto.

Also:

H. 23. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

H. 76. To amend Section 4 of Act No. 1738, H. 2575, 1971 Regular Session, approved September 17, 1971 entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership," so as to provide that employees of officials of state supported institutions of higher learning may serve on the commission established by this Act; giving the provisions of this amendment retroactive effect.

Also:

H. 70. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 22. To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Albertville and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Albertville Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Also:

H. 74. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next proceeding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters; to provide that the provisions of this Act shall be retroactive.

Also:

H. 72. To provide that the city board of education of all municipalities having a population of not less than 70,000 nor more than 300,000 according

to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Also:

H. 10. Relating to all counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county commission of said counties to pay the members of the jury commission in said county such an additional amount as will make their total compensation $15 per day for each day they serve in said capacity.

Also:

H. 67. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life, or aquatic life over, upon, onto or in any forest or timerland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Also:

H. 68. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Also:

H. 75. To amend Section 1 of Act No. 796, H. 1033, of the 1971 Regular Session of the Legislature, approved September 7, 1971, which said act provides for the election by popular vote of the City Board of Education in municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent Federal Decennial Census so as to provide that the terms of the members first elected to Boards of Education under the provisions of said act will be staggered.

Also:

H. 85. Relating to counties having a population of not less than 115,000 nor more than 150,000; to provide that the county Board of Education shall provide liability insurance coverage for any vehicle owned by them or operated under their jurisdiction and control.

Also:

H. 17. To further amend Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089), as amended, which provides for the appointment of a clerk for the sheriff's office of any county having a population of not less than 13,000 nor more than 13,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 84. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any

succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings.

Also:

H. 21. To set license fees paid to county barber commissions in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent Federal Decennial Census.

Also:

H. 79. To create the Court of General Sessions of Pickens County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pickens County, the County Court of Pickens County, and all Justice of the Peace Courts in said county.

Also:

H. 26. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Also:

H. 53. Relating to Lauderdale County; to amend Act No. 39, Acts of Alabama, First Special Session of 1955, approved February 18, 1955, as amended, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners (now Lauderdale County Commission) by amending Sections 2, 3 and 4; dividing Lauderdale County into two commissioners' districts in lieu of the present four commissioners' districts; providing for the election of two commissioners for each district, and fixing their qualifications and term of office.

Also:

H. 9. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants according to the most recent federal decennial census; to provide that the members of the county commission of any such county may be paid a salary not to exceed $4,800 per year.

Also:

H. 27. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; authorizing the judge of probate to appoint a probate court clerk; to define his duties; to direct the filing of a bond and provide for the compensation of such position.

Also:

H. 77. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 65. To amend Section No. 25 of Act No. 670 adopted by the General Session of the 1971 Legislature of the State of Alabama to provide for the final disposition of cases, causes of action, judgments and decrees in Equity and Law now or heretofore pending on the docket of the Law and Equity Court of Shelby County, Alabama.

Also:

H. 66. To apply in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Also:

H. 29. To authorize the governing body of Jefferson County, Alabama, to pay the sum of $1,768.25 to Sue Ann Bailey out of the gasoline tax fund, road and bridge fund or any other fund in the County treasury not otherwise appropriated to reimburse her for medical and other expenses in connection with an automobile accident on a public road in Jefferson County, Bessemer Division, Alabama.

Also:

H. 16. Relating to Cullman County; relating to the amount interest and maturity of temporary loans made the county governing body in anticipation of taxes, in order to revise the amount and interest rate of such loans.

Also:

H. 81. To amend Act No. 971 enacted at the 1971 Regular Session of the Legislature of Alabama, entitled "An Act to authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such inter-

est bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required", so as to amend the title of said Act, to expand the definition of Off-street Parking Facilities to include offices, a cafeteria or other food service facilities and passage ways or crosswalks to connect such facilities with the courthouse; to amend Section 2 of said Act to make additional legislative findings; and to amend Section 3 of said Act so as to identify more specifically the permissible location of such off-street parking facilities, and provide for the leasing of any part of such facilities.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 18. To create and establish a Court with county wide limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final record in suits for divorce or separate maintenance, in cases involving domestic relations or the custody of children; to be called the Inferior Court of Dale County, Alabama; to provide for the jurisdiction of said Inferior Court of Dale County, Alabama and the officers thereof; to fix their duties, powers, authority and compensation; to abolish the County Court of Dale County and the Juvenile Court of Dale County and to provide for the transfer of all cases pending in these courts to the newly established court.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 17. Commending Walter M. Anderson, Jr. for his long service to the railroad industry.

Also:

H. J. R. 18. Extending a hearty welcome to the Honorable James Shen, Nationalist Chinese Ambassador to the United States.

Also:

H. J. R. 19. Commending Patrick Joseph Sullivan for being named the national college back of the week by the Associated Press.

Also:

H. J. R. 20. Commending Terry Paul Beasley for being named The Associated Press Southeastern College Lineman of the Week.

Also:

H. J. R. 21. Naming the Elba Airport "The Carl Folsom Airport"

Also:

H. J. R. 22. Memorializing the President and Congress to do all in their power to secure the freedom of the prisoners of war in Vietnam.

Also:

H. J. R. 23. On the death of General "Chesty" Puller

Also:

H. J. R. 24. Mourning the death of Jim Amon of Montgomery

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 25. Sine Die Adjournment

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 6. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 8. To amend Sections 24 to 27 inclusive of Act No. 2295, of the 1971 Regular Session of the Alabama Legislature relating to appropriations for capital outlay purposes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Grainger the House concurred in and adopted the Senate amendment to the bill, H. 8, said Senate amendment being as follows:

Amend Section 1, by amending Section 25 thereof to read as follows:

"Section 25. Marion County Board of Education: For the construction of a school at Guin, Alabama ..... $150,000"

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Agee	Dill	Jones (F)	Robertson
Baker	Doss	King	St. John
Bank	Drake	Kinsey	Smith (K)
Barkett	Easters	Lang	Smith (P)
Bassett	Edwards	Lutz	Snell
Benton	Ellis	McBride	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Owens	Waldrop
Cherner	Grey (D)	Parker (H)	Wallace
Chesnut	Hardin	Parker (T)	Warren
Collins	Harris	Perloff	Williams
Connell	Headley	Pruitt	Wise
Coshatt	Hearn	Reed (T)	Wood
Cottingham	Hill	Reid (R)	Wynot
Crawford	Hobbie		

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And the bill, H. 8, as thus amended, was again read at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Bowers	Erdreich	Lutz	Smith (K)
Brassell	Falkenburg	McBride	Smith (P)
Callahan	Fite	McCorquodale	Snell
Carnes	Flippo	Manley	Stewart
Carter	Gafford	Mathews	Stokes
Casey	Gloor	May	Straiton
Cauthen	Goodwin	Meeks	Stubbs
Cherner	Grainger	Merrill	Taylor
Chesnut	Gray (F)	Mims	Timmons
Collins	Grey (D)	Naramore	Turner
Connell	Hardin	Nettles	Turnham
Coshatt	Harris	Owens	Waggoner
Cottingham	Headley	Parker (H)	Waldrop
Crawford	Hearn	Parker (T)	Wallace
Cross	Hill	Perloff	Warren
Crowe	Hobbie	Pruitt	Williams
Dill	Jackson	Reed (T)	Wise
Doss	Jones (E)	Reid (R)	Wood
Drake	Jones (F)	Reynolds	Wynot

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MESSAGE FROM THE SENATE

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Shelby:

S. J. R. 22. MOURNING THE DEATH OF MRS. WILLIE CULVER

WHEREAS Mrs. Willie Culver died this morning in Bessemer at the age of 78 after a long and full life; and

WHEREAS Mrs. Culver was the mother of our beloved colleague, Representative John Culver; and

WHEREAS other survivors include one daughter, Mrs. Roy Varner of Hueytown, five grandchildren and six great grandchildren; and

WHEREAS funeral services will be held Sunday at 2 P.M. in Bessemer; and

Whereas Mrs. Culver is greatly mourned by her family and friends; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of Mrs. Culver and extend their sympathy to her family.

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 22, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 40. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Headley, the House concurred in and adopted the Senate amendment to the bill, H. 40, said Senate amendment being as follows:

Amend H. B. 40 by striking Section 7 and adding in lieu thereof: This Act shall become effective at the beginning of the next term for the tax assessor and tax collector and on January 1, 1973 for the Judge of Probate and Circuit Clerk according to Section 1.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (E)	Reynolds
Adwell	Dill	Jones (F)	Roberts
Agee	Doss	King	Robertson
Baker	Downing	Kinsey	St. John
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Callahan	Gafford	Merrill	Timmons
Carnes	Gloor	Mims	Turner
Carter	Goodwin	Naramore	Turnham
Casey	Grainger	Nettles	Waggoner
Cauthen	Gray (F)	O'Daniel	Wallace
Cherner	Grey (D)	Owens	Warren
Chesnut	Hardin	Parker (H)	Weeks
Collins	Harris	Parker (T)	Williams
Connell	Headley	Perloff	Wise
Cottingham	Hearn	Pruitt	Wood
Crawford	Hill	Reed (T)	Wynot

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RESOLUTION

The following resolution was introduced:

By Messrs. Boutwell and Brassell:

H. J. R. 27. COMMENDING ALABAMA AND AUBURN FOOTBALL TEAMS ON THEIR EXCELLENT RECORD

WHEREAS Both the Alabama and Auburn Football teams will play Saturday, November 27 in Birmingham as the only two undefeated teams in the Southeastern Conference; and

WHEREAS It is all but official that Alabama will play in the Orange Bowl and Auburn will play in the Sugar Bowl; and

WHEREAS It is very likely that one of these two fine teams will end up rated Number 1 in the nation; and

WHEREAS This legislature has noted the records of both teams with pride and notes that this great all-American classic will be carried on national television which will result in good advertisement for this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do highly commend these two most excellent teams and wish them great success in their coming bowl games.

On motion of Mr. Boutwell, the rules were suspended and the resolution, H. J. R. 27, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 4. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendments to the bill, H. 4, said Senate amendments being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the

State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calcuable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1972, and September 30, 1973, respectively; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF EDUCATION:

A. For the Department of Education:		
For the fiscal year ending September 30, 1972:		
For the salary of the State Superintendent	23,500.00	
For other salaries	646,000.00	
For other expenses	128,500.80	
For rental expenses	81,715.20	
For equipment purchases	5,000.00	
For transfer to State Personnel Department	17,407.00	
Total		902,123.00
For the fiscal year ending September 30, 1973:		
For the salary of the State Superintendent	23,500.00	
For other salaries	652,000.00	
For other expenses	134,500.00	
For rental expense	81,715.20	
For equipment purchases	5,250.00	

For transfer to State Personnel Department	17,530.00	
Total		914,495.20
B. For Adult Basic Education: To be used to match Federal funds for a removal of illiteracy program		127,218.00
C. Civil Defense Survival Plan: For salaries and other expenses only, in the operation of the Civil Defense Survival Plan		11,497.00
D. Coordination of In-School Television Program:		
For salaries	41,500.00	
For other expenses	10,500.00	
For equipment purchases	2,500.00	
Total		54,500.00
E. Drug Education Program: For salaries, other expenses, and equipment purchases for the necessary education on drug abuse		91,000.00
F. For matching fedaral funds available under the provisions of the Manpower Development Training Act		100,000.00
G. National Defense Education Program		161,885.00
H. To the Department of Education for Plans and Surveys:		
For the fiscal year ending September 30, 1972:		
For salaries	35,200.00	
For other expenses	4,200.00	
Total		39,400.00
For the fiscal year ending September 30, 1973:		
For salaries	37,000.00	
For other expenses	4,400.00	
Total		41,400.00
Section 4. STATE BOARD OF EDUCATION:		
A. Alabama A & M University: For the operation and maintenance of the institute at Huntsville		$2,704,682.00
B. Alabama State University: For the operation and maintenance of the University at Montgomery: For the fiscal year ending September 30, 1972		2,607,524.00

For the fiscal year ending September 30, 1973		2,704,682.00
C. Civilian Rehabilitation:		
For the rehabilitation of handicapped individuals	2,168,677.00	
For the Governor's Committee on Employment of Handicapped	10,000.00	
Total		2,178,677.00
D. For Compact for Education		10,500.00
(To be expended in accordance with Act No. 1143, 1969 Regular Session.)		
E. For Driver Education		989,185.00
(The above appropriation is conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor)		
F. Elementary Teachers Scholarship Fund		25,000.00
G. Free Textbooks:		
For the fiscal year ending September 30, 1972:		
For salaries	38,000.00	
For other expenses	30,610.00	
For disbursements to Local Boards	50,000.00	
For the repair of used and the purchase of new textbooks	2,030,521.00	
Total		2,149,131.00
For the fiscal year ending September 30, 1973:		
For salaries	40,000.00	
For other expenses	32,100.00	
For disbursement to Local Boards	52,500.00	
For the repair of used and the purchase of new textbooks	2,170,000.00	
Total		2,294,600.00
G(2). For the fiscal year ending September 30, 1972:		
For the repair of used and the purchase of new textbooks		2,000,000.00
For the fiscal year ending September 30, 1973:		
For the repair of used and the purchase of new textbooks		2,000,000.00
(The above appropriation in Subsection G(2) shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.)		
H. Junior College Equalization Account:		
For operation and maintenance of the		

Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Education 11,833,911.00

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City; (2) Albert P. Brewer; (3) John C. Calhoun; (4) Enterprise State; (5) James H. Faulkner; (6) Gadsden (7) Jefferson Davis; (8) Jefferson State; (9) Theodore Alfred Lawson; (10) Mobile State; (11) Northeast; (12) Northwest; (13) Patrick Henry; (14) Snead State; (15) Southern Union; (16) George C. Wallace (Napier Field); (17) George C. Wallace (Selma); (18) Lurleen B. Wallace State.)

I. J. F. Ingram Vocational Technical School:
For the operation and maintenance of a Vocational Technical School 160,612.00

J. State Mental Health Department:
For salaries, other expenses and equipment purchases necessary to operate schools at Alabama State Hospitals 29,125.00

K. State Mental Health Department:
For salaries, other expenses and equipment purchases necessary to operate a school at Partlow State School 246,271.00

L. Minimum Program Fund:

In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1972, the sum of $228,662,583.00 and for the fiscal year ending September 30, 1973, the sum of $238,312,583.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all moneys earmarked for public

school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund. Provided, that all funds herein appropriated for transportation of students including, but not limited to, those amounts recommended for transportation in the Governor's budget recommendations for the minimum program fund are conditional upon the approval of the Governor who may authorize the release of all such funds or such amounts as he deems necessary.

In addition to the appropriation hereinabove made to the Minimum Program Fund, there is hereby appropriated the sum of $4,000,000.00 for the fiscal year ending September 30, 1973, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriation not less than one thousand (1000) additional teacher units for the program for exceptional children. Five hundred (500) teacher units are to be allocated for fiscal year ending September 30, 1972 and five hundred (500) teacher units to be allocated for fiscal year ending September 30, 1973. Twenty-five (25) of the teacher units allocated for fiscal year ending September 30, 1973 may be used in early education programs for exceptional children.

It is provided that beginning with the fiscal year 1971–72, that in addition to the salary now received, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than three hundred eighty-four dollars ($384.00) per annum; Rank II teachers not less than three hundred thirty-one dollars ($331.00) per annum; Rank III teachers not less than two hundred sixty-seven dollars ($267.00) per annum; Rank IV teachers not less than two hundred twenty-five dollars ($225.00) per annum; and, Rank V teachers not less than one hundred ninty-four dollars ($194.00) per annum; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriation to the said City or County school board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

It is further provided that beginning with the fiscal year 1972–73, that in addition to the salary now received, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than three hundred eighty-four dollars ($384.00) per annum; Rank II teachers not less than three hundred thirty-one dollars ($331.00) per annum; Rank III teachers not less than two hundred sixty-seven dollars ($267.00) per annum; Rank IV teachers not less than two hundred twenty-five dollars ($225.00) per annum; and, Rank V teachers not less than one hundred ninty-four dollars ($194.00) per annum; and any county or city board of education failing to

comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriation to the said City or County school board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

On or before January 1, 1973 and January 1, 1974, each local board shall report in writing to the State Superintendent of Education, Legislative Council and the Governor on the manner on which the foregoing has been implemented.

M. Minimum Program Account:		
Trainable Retarded Children,		
For salaries	41,000.00	
For other expenses	6,108.00	
For distribution to Local Boards	360,726.00	
For Special Education	300,000.00	
Total		707,834.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance or classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 67, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

N. Physical Restoration of Crippled Children:		
Handicapped Individuals		1,568,779.00
O. For Regional Education:		
For the fiscal year ending September 30, 1972		123,000.00
For the fiscal year ending September 30, 1973		133,000.00
P. Vocational Education:		
(a) For the fiscal year ending September 30, 1972:		
For salaries	51,000.00	
For other expenses	29,272.00	

For rental expense	7,500.00	
For equipment purchases	1,500.00	
Disbursements to Local Boards and Institutions	12,578,206.00	
Total		12,667,478.00
For the fiscal year ending September 30, 1973:		
For salaries	53,500.00	
For other expenses	30,700.00	
For rental expense	7,500.00	
For equipment purchases	1,500.00	
Disbursements to Local Boards and Institutions	12,578,206.00	
Total		12,671,406.00
Vocation Education:		
(b) For Industrial Development Training		250,000.00

Q. State Vocational Technical School Equalization Account:

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1972	10,291,178.00
For the fiscal year ending September 30, 1973	10,841,178.00

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Carver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northwest Alabama; (13) N. F. Nunnelley; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncey Sparks; (20) Councill Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace, Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Se'ma; (26) Wenonah

R. Alabama Special Mental Health Fund for transfer to the Medical College of Alabama, for salaries, stipends and scholarships in Psychiatry; and for the training of professional Mental Health personnel and psychiatric nurses. This transfer to the Special Mental Health fund is for the purpose of partially

funding the appropriations heretofore made for such purposes by the Legislature, and is in lieu of an equal amount heretofore appropriated, and is not in addition to such appropriations heretofore made.

For the fiscal year ending September 30, 1972 ..... $1,500,000.00

For the fiscal year ending September 30, 1973 ..... 1,500,000.00

S. All the revenues heretofore or hereafter paid into the Special Educational Trust Fund from the premium tax on nonprofit corporations organized pursuant to the provisions of Chapter 10, Article 3 of Title 28, Code of Alabama 1940 are hereby transferred to the Alabama Special Mental Health Fund for the current fiscal year, and for each fiscal year hereafter in which any such funds are paid into the Special Educational Trust Fund.

Section 5. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:

A. The College:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1972 ..... 13,074,556.00

For the fiscal year ending September 30, 1973 ..... 13,449,056.00

(2) Engineering Experiment Station 225,808.00

(3) Television Education 245,539.00

(4) For Development of Graduate Studies 450,000.00

B. Extension Work for Agriculture and Home Economics:

For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services :

For the fiscal year ending September 30, 1972 ..... 3,144,988.00

For the fiscal year ending September 30, 1973 ..... 3,201,188.00

For Rural Resources Development Program 207,000.00

The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

(1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation:

For the fiscal year ending September 30, 1972 ..... 2,126,647.00

For the fiscal year ending September 30, 1973	2,176,147.00
(2) Co-operative research at the Agricultural and Experimental Substations	817,968.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending Spetember 30, 1972 and September 30, 1973.

The funds provided in this sub-section (C) shall be used for the support of researchers, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advise of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

D. Auburn University—Montgomery, Alabama:	
For operation and maintenance: For the fiscal year ending September 30, 1972	1,480,200.00
For the fiscal year ending September 30, 1973	1,500,000.00
Section 6. BOARD OF TRUSTEES OF ALABAMA BOYS' INDUSTRIAL SCHOOL: For the operation and maintenance of the Alabama Boys' Industrial School	562,799.00

Section 7. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:

(a) For operation and maintenance of the school:

For the fiscal year ending September 30, 1972 ..... 1,879,779.00

For the fiscal year ending September 30, 1973 ..... 1,956,890.00

(b) For salaries and expenses incident to instruction of Adult Blind and for operation of the Trade School at the Institute:

For the fiscal year ending September 30, 1972 ..... 457,300.00

For the fiscal year ending September 30, 1973 ..... 462,000.00

Section 8. DEBT SERVICE:

(1) For the payment of principal and interest due on bonds issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX,

For the fiscal year ending September 30, 1972 ..... 306,620.00

For the fiscal year ending September 30, 1973 ..... 308,970.00

(2) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX,

For the fiscal year ending September 30, 1972 ..... 306,620.00

For the fiscal year ending September 30, 1973 ..... 308,970.00

(3) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII,

For the fiscal year ending September 30, 1972 ..... 199,450.00

For the fiscal year ending September 30, 1973 ..... 200,393.75

(4) Interest on Endowments:

For the fiscal year ending September 30, 1972:

For interest on University of Montevallo (Alabama College) Endowment, estimated	40,000.00	
For interest on Auburn University Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, estimated	260,000.00	
Interest on School Indemnity, lands, estimated	62,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total		476,880.00
For the fiscal year ending September 30, 1973:		
For interest on University of Montevallo (Alabama College) Endowment, estimated	40,000.00	
For interest on Auburn University Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, estimated	260,000.00	
Interest on School Indemnity lands, estimated	67,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total		481,880.00
Section 9. BOARD OF DENTAL SCHOLARSHIP AWARDS: For Dental Scholarships at the University of Alabama School of Dentistry or any other dental school accredited by the Council on Dental Education of the American Dental Association. To be expended under the provisions of Act No. 793, 1965 Regular Session		83,000.00
Section 10. EDUCATION OF DEPENDENTS OF BLIND PARENTS:		

For reimbursement of every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session, estimated		5,250.00
Section 11. ALABAMA EDUCATION STUDY COMMISSION: To be used for educational studies in accordance with Act No. 15, 1969 Special Session		155,000.00
Section 12. ALABAMA EDUCATIONAL TELEVISION COMMISSION: For the fiscal year ending September 30, 1972:		
For salaries	505,500.00	
For other expenses	359,344.00	
For equipment purchases	98,800.00	
For automotive equipment purchases	11,200.00	
For programming	190,000.00	
Total		1,164,844.00
For the fiscal year ending September 30, 1973:		
For salaries	527,500.00	
For other expenses	377,000.00	
For equipmnet purchases	98,800.00	
For automotive equipment purchases	11,200.00	
For programming	202,500.00	
Total		1,217,000.00
Section 13. BOARD OF TRUSTEES OF FLORENCE STATE UNIVERSITY: For the fiscal year ending September 30, 1972:		
For operation and maintenance of the University		2,412,344.00
For a school of Nursing to be used for construction, equipping, and operation and maintenance		100,000.00
For the fiscal year ending September 30, 1973:		
For operation and maintenance of the University		2,262,344.00
For a school of Nursing to be used for construction, equipping, and operation and maintenance		250,000.00
Section 14.		
(1) University of Alabama—for Gadsden Programs		$100,000.00

(2) Jacksonville State University—for Gadsden Programs	$100,000.00
Section 15. GOVERNOR'S OFFICE: For the compensation of legal counsel to be used in accordance with Act No. 750, 1969 Regular Session	50,000.00
Section 16. COMMISSION ON HIGHER EDUCATION: For salaries, other expenses and equipment purchases to be expended in accordance with Act No. 14, 1969 Special Session	137,000.00
Section 17. BOARD OF TRUSTEES OF ALABAMA INDUSTRIAL SCHOOL AT MT. MEIGS, ALABAMA For operation and maintenance of the Alabama Industrial School at Mt. Meigs, Alabama: For the fiscal year ending September 30, 1972	425,781.00
For the fiscal year ending September 30, 1973	447,000.00
Section 18. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY: For operation and maintenance of the University	3,585,365.00
For operation and maintenance and Capital Outlay of the Nursing School	250,000.00
Section 19. BOARD OF TRUSTEES OF LIVINGSTON STATE UNIVERSITY: For operation and maintenance of the University	1,230,387.00
Section 20. MEDICAL SCHOLARSHIPS BOARD: For Medical Scholarships at the University of Alabama Medical School. To be expended under the provisions of Act No. 278, 1965, 1st Special Session	135,000.00
Section 21. BOARD OF TRUSTEES OF UNIVERSITY OF MONTEVALLO: For operation and maintenance of the University	2,193,514.00
For operation and maintenance of the Speech and Hearing Clinic	50,000.00
Section 22. SOCIAL SECURITY: For State's share of Social Security,	

For the fiscal year ending September 30, 1972, estimated	17,000,000.00
For the fiscal year ending September 30, 1973, estimated	17,500,000.00
Section 23. SYLACAUGA NURSES TRAINING SCHOOL: For the operation and maintenance of the Nurses training school at Sylacauga	40,000.00
Section 24. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA: For operation and maintenance of the University: For the fiscal year ending September 30, 1972	3,835,936.00
For the fiscal year ending September 30, 1973	4,285,936.00
For operation and maintenance of a College of Medicine, School of Nursing and University Hospital: For the fiscal year ending September 30, 1972	1,470,000.00
For the fiscal year ending September 30, 1973	1,988,000.00
Section 25. BOARD OF CONTROL OF THE TEACHERS' RETIREMENT SYSTEM: For the fiscal year ending September 30, 1972: For the Teachers' Retirement System, Estimated	30,969,600.00
For the fiscal year ending September 30, 1973: For the Teachers' Retirement System, Estimated	32,545,600.00
The above appropriations shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund.	
For the Teachers' Special Pension Fund: For the fiscal year ending September 30, 1972, estimated	1,050,000.00
For the fiscal year ending September 30, 1973, estimated	950,000.00
Section 26. STATE TENURE COMMISSION: For expenses of operation	2,000.00

Section 27. BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL FOR GIRLS:	
For the operation and maintenance of the State Training School for Girls:	
For the fiscal year ending September 30, 1972	338,375.00
For the fiscal year ending September 30, 1973	355,000.00
Section 28. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:	
For operation and maintenance of the University:	
For the fiscal year ending September 30, 1972	2,581,461.00
For the fiscal year ending September 30, 1973	2,804,432.00
For operation and maintenance of a School of Nursing at Troy University	200,000.00
For operation and maintenance of a School of Nursing at St. Margaret's Hospital, Montgomery, Alabama	200,000.00
For School of Nursing—Scholarships	18,000.00
Section 29. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:	
A. The University:	
(1) For operation and maintenance	13,249,589.00
(2) For School of Medicine:	
For the fiscal year ending September 30, 1972	225,000.00
For the fiscal year ending September 30, 1973	450,000.00
(3) For Development of Graduate Studies	500,000.00
(4) For Emotionally Disturbed Children's Center:	
For the fiscal year ending September 30, 1973, only	200,000.00
(5) For the School of Library Science:	
For the fiscal year ending September 30, 1973, only	183,000.00
(6) For Public Service, Research and Extension	923,146.00
(7) Alabama Law Institute, for Library books	50,000.00
B. The University—Birmingham:	
(1) For the School of Community and Allied Health Resources	150,000.00

(2) For the School of Dentistry: For maintenance and operation	2,417,155.00
(3) For University College (College of General Studies): For operation and maintenance	3,521,000.00
For Center for Labor Education and Research	130,000.00
(4) For Medical College: For maintenance and operation	5,123,777.00
(5) For the School of Nursing	462,670.00
(6) For the School of Nursing— Scholarships	13,400.00
(7) For a Loan Fund for Student Nurses	12,000.00
(8) For the School of Optometry: For maintenance and operation	408,065.00
(9) For the University Hospitals and Clinics: For maintenance and operation	1,652,637.00
(10) For Development of Graduate Studies	100,000.00
(11) For Diabetes Clinic: For maintenance and operation	50,000.00
C. The University—Huntsville:	
(1) For operation and maintenance	2,619,608.00
(2) For Environmental Science Center	100,000.00
(3) For Collegiate School of Nursing	250,000.00
(4) For School of Medicine: For the fiscal year ending September 30, 1972	225,000.00
For the fiscal year ending September 30, 1973	450,000.00
(5) For Development of Graduate Studies	100,000.00
Section 30. VETERANS EDUCATION BENEFITS: For reimbursement to every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to Veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session, Estimated	500,000.00
Section 31. MARINE ENVIRONMENTAL SCIENCES CONSORTORIUM: For maintenance and operation	100,000.00
The above appropriation is to be expended to carry out the provisions of Act No. 946 & 2432 1971 Regular Session.	
Section 32. JOHN M. WILL MEMORIAL SCHOLARSHIP FOUNDATION	1,000.00

Section 33. MONTGOMERY INSTITUTE FOR NEUROLOGICAL DEVELOPMENT	25,000.00

Section 34. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefore; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School at Mt. Meigs, Alabama, the State Training School for Girls, the Alabama Educational Television Commission, Teachers Retirement System, Florence State University, Jacksonville State University, Livingston State University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 35. All acts of the Governor of the State of Alabama and all other state officials pertaining to expenditures of state funds made to insure and to provide for the continuity of and the operation of the State Government and the public school system of the State of Alabama from October 1, 1971, until the effective date of this Act are hereby ratified and approved.

Section 36. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 37. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Amend House Bill 4 by striking in Section 16 the figure "137,000.00" where said appears therein and insert in lieu therefor the figure and words:

"250,000.00"

"(The above appropriation in Section 16 shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.)"

Amend Substitute for H. B. 4 by striking from Section 29, A(4) the words "For the fiscal year ending September 30, 1973, only."

Amend Substitute for H. B. 4 by striking from Section 29,A (5) the words "For the fiscal year ending September 30, 1973 only."

Amend paragraph H. of H. B. 4 by adding at the end thereof the following:

"For the fiscal year ending September 30, 1973 for operation and maintenance of the junior colleges listed in this paragraph the sum of one million dollars ($1,000,000.00), conditional upon the condition of the Special Education Trust Fund and upon the approval of the Governor."

Section 4 of House Bill 4 is hereby amended to read as follows:

"T. For acquiring, providing and constructing additional facilities for use by Southern Union State Junior College as a branch of said College to be located in the City of Lanett, Alabama $240,000.00

"(1) For expenses in purchasing and installing IBM equipment, Patrick Henry College, Monroeville, Alabama ..... $15,000.00"

AMENDMENT TO HOUSE BILL 4:

Amend the bill by striking Section 6 of the bill and substituting therefor for following:

Section 6.

For the operation and maintenance of the Alabama Boys Industrial School:

For the fiscal year ending September 30, 1972 ..... 612,799.00

For the fiscal year ending September 30, 1973 ..... 612,799.00

Amend H. B. 4 by adding at the end of Section 4 thereof the following:

Alabama High School of Fine Arts:

For a planning grant for the Alabama High School of Fine Arts 100,000.00

For the fiscal year ending September 30, 1972

"For an operating grant for the Alabama High School of Fine Arts 100,000.00

For the fiscal year ending September 30, 1973"

The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session.

Further amend H. B. 4 by striking therefrom in Section 29, Subsection B(3) the figures "3,521,000.00" and inserting in lieu thereof the figures "3,421,000.00".

Amend House Bill 4 by adding immediately after Section 33 on page 19 of the bill the following:

"Section 34. MIDFIELD CITY BOARD OF EDUCATION:

For the fiscal year ending September 30, 1972:

For operation and maintenance 100,000.00

The above appropriation is conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

Further amend the bill by renumbering Sections 34, 35, 36, 37, and 38 as 35, 36, 37, 38 and 39.

Amend the Substitute for H. B. 4 by deleting in its entirety Paragraph E of Section 4 of said bill on page 4 thereof and insert in lieu therefor the following:

"E. For Driver Education	400,000.00
E(2) For Driver Education	589,185.00

(The above appropriation in Subsection E(2) shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.)"

Amend House Bill 4 by adding immediately after Section 33 the following:

"Section 34.

Alabama A&M University		$ 127,734.00
Alabama State University		129,050.00
Auburn University:		
The College (University Proper)	$721,020.00	
Cooperative Extension Service	170,409.00	
Agricultural Experiment Station	149,705.00	
Auburn University at Montgomery	75,000.00	1,116,134.00
Florence State University		125,617.00
Jacksonville State University		291,768.00
Livingston State University		61,519.00
Troy State University		158,621.00
University of Alabama (Tuscaloosa)		
Maintenance and Operations (University Proper)	720,379.00	
Public Service, Research, and Extension	46,157.00	766,536.00
University of Alabama in Birmingham		658,285.00
University of Alabama in Huntsville		159,730.00
University of Montevallo		102,175.00
University of South Alabama		267,796.00
Junior College Equalization Account		541,696.00

The above appropriations shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor, and are for each of the fiscal years ending September 30, 1972 and September 30, 1973. In the event that the entire amount listed above is not

available for distribution to institutions of higher learning, then such amount as is available shall be distributed proportionately to all institutions."

Further amend House Bill 4 by renumbering the remaining sections in numerical sequence.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (E)	Reynolds
Adwell	Dill	Jones (F)	Roberts
Agee	Doss	King	Robertson
Baker	Downing	Kinsey	St. John
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Waldrop
Cherner	Grey (D)	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker (H)	Weeks
Connell	Headley	Parker (T)	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot

—100

And the bill, H. 4, as thus amended, was again read at length and passed.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	Jones (E)
Adams	Cherner	Falkenburg	Jones (F)
Adwell	Chesnut	Fite	King
Agee	Collins	Flippo	Kinsey
Baker	Connell	Gafford	Lang
Bank	Coshatt	Gloor	Lutz
Barkett	Cottingham	Goodwin	McBride
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Gray (F)	McCorquodale
Boles	Crowe	Grey (D)	Manley
Boutwell	Dill	Hardin	Mathews
Bowers	Doss	Harris	May
Brassell	Downing	Headley	Merrill
Callahan	Drake	Hearn	Mims
Carnes	Easters	Hill	Naramore
Carter	Edwards	Hobbie	Nettles
Casey	Ellis	Jackson	O'Daniel

Owens	Roberts	Straiton	Wallace	
Parker (H)	Robertson	Stubbs	Warren	
Parker (T)	St. John	Taylor	Weeks	
Perloff	Smith (K)	Timmons	Williams	
Pruitt	Smith (P)	Turner	Wise	
Reed (T)	Snell	Turnham	Wood	
Reid (R)	Stewart	Waggoner	Wynot	
Reynolds	Stokes	Waldrop		—99

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Burgess for the Journal to show him voting "Yea" on the resolution, H. J. R. 27, and the bill, H. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 1. Relating to the jury commission in all counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; providing for the number, terms, and compensation of the members of such commission.

Also:

S. 2. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis, providing retroactive effect to September 1, 1971.

Also:

S. 9. To amend Section 2 of Act No. 223, S. 748, 1971 Regular Session approved August 12, 1971 entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census."

Also:

S. 15. Relating to DeKalb County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

S. 16. Relating to Jackson County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

S. J. R. 20. Wishing Representative John Culver a speedy recovery.

S. J. R. 21. To commend the establishment of the Alonzo Stagg Bowl at Phenix City.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolution was introduced:

By Mr. Bank:

H. J. R. 28. WHEREAS, The Health Study Commission, created under the provisions of S. J. R. 70, Act No. 2226, Regular Session 1971, is empowered with the responsibility to study the needs of health care services; and

WHEREAS, The Commission will require much information from public hearings, publications and communications from many sources, both in and out of the State of Alabama; now, therefore,

BE IT RESOLVED BY THE HOUSE OF ALABAMA, THE SENATE CONCURRING, That the Legislature shall provide two stenographers, to be selected by the Commission, whose compensation shall not exceed the salaries paid for Stenographer III under the State Merit System. The funds to carry out the provisions of this resolution shall be expended from funds appropriated for the use of the Legislature.

On motion of Mr. Bank, the rules were suspended and the resolution, H. J. R. 28, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 27. Commending Alabama and Auburn football teams on their excellent record.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 17. WHEREAS, The Health Study Commission, created under the provisions of S. J. R. 70, Act No. 2226, Regular Session 1971, is empowered with the responsibility to study the needs of health care services; and

WHEREAS, The Commission will require much information from public hearings, publications and communications from many sources, both in and out of the State of Alabama; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING, That the Legislature shall provide two stenographers, to be selected by the Commission, whose compensation shall not exceed the salaries paid for Stenographer III under the State Merit System. The funds to carry out the provisions of this resolution shall be expended from funds appropriated for the use of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 17, set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 7. To supplement Act No. 94 adopted at the First Special Session of 1971 of the Legislature of Alabama by authorizing the Alabama Public School and College Authority to sell and issue additional bonds for the purpose of reconstruction, improvement, alteration, repair and renovation of facilities to eliminate existing or potential fire hazards so as to make such facilities fireproof at Alabama State Hospitals and the Partlow State School and Hospital; to provide that the said bonds shall be issued in addition to, and as a part of the same issue as, the bonds that the said Authority was authorized to issue under the provisions of the said Act.

Also:

H. 34. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 40. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 17. Providing two stenographers to be selected by the Health Study Commission.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 4. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 22. Mourning the death of Mrs. Willie Culver.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of SJR 2, Second Special Session, 1971, the President and Presiding Officer of the Senate has appointed as Senate members of the Science, Engineering and Technology Study Commission Messrs. Foshee and Fine.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 17. COMMENDING WALTER M. ANDERSON, JR. FOR HIS LONG SERVICE TO THE RAILROAD INDUSTRY.

Also:

H. J. R. 18. EXTENDING A HEARTY WELCOME TO THE HONORABLE JAMES SHEN, NATIONALIST CHINESE AMBASSADOR TO THE UNITED STATES.

Also:

H. J. R. 19. COMMENDING PATRICK JOSEPH SULLIVAN FOR BEING NAMED THE NATIONAL COLLEGE BACK OF THE WEEK BY THE ASSOCIATED PRESS.

Also:

H. J. R. 20. COMMENDING TERRY PAUL BEASLEY FOR BEING NAMED THE ASSOCIATED PRESS SOUTHEASTERN COLLEGE LINEMAN OF THE WEEK.

Also:

H. J. R. 21. NAMING THE ELBA AIRPORT "THE CARL FOLSOM AIRPORT".

Also:

H. J. R. 22. MEMORIALIZING THE PRESIDENT AND CONGRESS TO DO ALL IN THEIR POWER TO SECURE THE FREEDOM OF THE PRISONERS OF WAR IN VIETNAM.

Also:

H. J. R. 23. ON THE DEATH OF GENERAL "CHESTY" PULLER.

Also:

H. J. R. 24. MOURNING THE DEATH OF JIM AMON OF MONTGOMERY.

Also:

H. J. R. 27. COMMENDING ALABAMA AND AUBURN FOOTBALL TEAMS ON THEIR EXCELLENT RECORD.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length hav-

ing been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 6. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Also:

H. 8. To amend Sections 24 to 27 inclusive of Act No. 2295, of the 1971 Regular Session of the Alabama Legislature relating to appropriations for capital outlay purposes.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:50 P.M. on November 19, 1971.

H.J.R. 2

H.J.R. 3

H.J.R. 15

H.J.R. 5

H.J.R. 6

H.J.R. 7

H.J.R. 9

H.J.R. 10

H.J.R.11

H.J.R.12

H.J.R. 16

H. 71

H. 11

H. 15

H. 48

H. 83

H. 44

H. 41

H. 24

H. 55

H. 23

H. 76

H. 70

H. 22

H. 74

H. 72

H. 10

H. 67

H. 68

H. 75

H. 85

H. 17

H. 84

H. 21

H. 79

H. 26

H. 53

H. 9

H. 27

H. 77

H. 65

H. 66

H. 29

H. 16

H. 81

H. 18

Delivered to the Governor at 4:40 P.M. on November 19, 1971.

H. 7

H. 34

H. 40

H. 1

Delivered to the Governor at 5:00 P.M. on November 19, 1971.

H. 6

H. 8

H.J.R. 17

H.J.R. 18

H.J.R. 19

H.J.R. 20

H.J.R. 21

H.J.R. 22

H.J.R. 23

H.J.R. 24

H.J.R. 27

Delivered to the Governor at 5:30 P.M. on November 19, 1971.

H. 4

JOHN W. PEMBERTON,
Clerk.

HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA

SECOND AND THIRD SPECIAL SESSIONS 1971

LOBBYIST REGISTRATION PURSUANT TO HOUSE RULES 62 AND 63

Name	Name of Firm
Martha K. Adams	State Department of Labor
W. Douglas Amos	Alabama Savings and Loan League
Walter M. Anderson, Jr.	Alabama Railroad Association
Richard Arrington	Southern Railway
C. E. Avinger	Alabama Bankers Association
George F. (Bubber) Bailey, Jr.	Alabama Railroad Association
Schuyler A. Baker	University of Alabama and Alabama Truckers Association
Walter V. Bobo, Jr.	Public Service Employees Local Union
Allen Boland	Iron Workers Union Building Trade
Albert Boutwell	Jefferson County Commission
Thelma Braswell	Alabama Education Association
Olin B. Brooks	United Transportation Union
Richard J. Burrell	Household Finance Corporation
Bruce Carr	Labor Union
Joe C. Carroll	Sears, Roebuck & Co.
R. E. L. Choate	Massachusetts Mutual Insurance Co.
John L. Cousins	Fraternal Order of Police
John Hilary Cox, Jr.	Alabama State Nurses' Association
R. J. Cunningham	Alabama Association of Life Underwriters
Joseph C. Doudle	University of Alabama, Huntsville
Norman Duncan	J. C. Penny Company, Inc.
Milton R. Durrett	Multiple Association
Thomas M. Eden, Jr.	Alabama Textile Manufacturers Association
John Douglas Evans	Medical Association, State of Alabama
W. A. Fowler	Alabama Telephone Company
Cecil Frizzle	Hudson-Thompson, Inc.
O. J. Goodwyn	Teacher Organization, A.E.A.
Joe W. Graham	Alabama Forest Products Association

Name	Name of Firm
James W. Hall, Jr.	Alabama Press Association
Philip G. Hallam	Alabama Wholesale Beer Distributors Association
D. N. Hamilton	City of Montgomery Alabama League of Municipalities Alabama State Nurses' Association Alabama Savings & Loan League Alabama Association of Circuit Clerks and Registers Automotive Wholesaler's Association of Alabama Suburban Gas Companies Periodical Distributors of Alabama Catrala of Alabama, Inc. Legislative Committee, Alabama State Bar Association American Reciprocal Insurance Assoc.
Reginald T. Hamner	Alabama State Bar
James Whitfield Hart, Jr.	Alabama Petroleum Council
Frank H. Hawthorne	Alabama Power Company and affiliated companies
Thomas B. Henley	City of Montgomery
W. Lyle Hinds	Blue Cross-Blue Shield
Joe Hochderffer	Alabama Hospital Association
Mrs. Nita Hogg	Nursing Association
Mrs. Martha A. Hornbeak	Alabama Committee for Tax Reform, Incorporated
Paul R. Hubbert	Alabama Education Association
J. Reese Johnston, Jr.	Jefferson County, Alabama
Charles D. Kelley	Alabama Department of Conservation and Natural Resources
R. G. Kendall, Jr.	Alabama Railroad Association
Jess Lanier	City of Bessemer
W. L. McDaniel	Brick Mason Union No. 3 of Alabama
Charles McDonald	Alabama Council of Retail Merchants
Stewart P. McLaurin	Alabama Hotel-Motel Association Alabama Restaurant Association Alabama Wholesale Distributors Assoc. Alabama Meat Packers
Gilbert Mobley	Associated Industries of Alabama

Name	Name of Firm
Donald M. Monroe	Alabama Institute of Laundering, Dry Cleaning, and Rental Services
William B. Moore, Jr.	American Insurance Association and Health Insurance Association of America
Billy R. Morris	Steelworkers Legislative Commission of Alabama
Howard J. Morris, Jr.	Alabama Banking Association
L. Warren Moseley, Jr.	Alabama State Nurses Association
Milton K. Parsons	Alabama Farm Bureau Federation
L. P. Patterson	Medical Association, State of Alabama
W. Maxwell Peacock	Alabama Council of Retail Merchants
James Zac Perry	Home Builders Association of Alabama
Thermon Phillips	United Steelworkers of America
Earl C. Pippin	Alabama Consumer Finance Association
Dr. Charles S. Prigmore	Alabama Citizens for Environmental Action
Donald Pritchett	Public Service Employees, Local Union 1279
Robert S. Query, Jr.	Hudson-Thompson, Inc.
A. B. Reddick	Allstate Insurance Company
H. Gerald Reynolds	United States Pipe and Foundry Company, Inc.
James I. Ritchie	Alabama Trucking Association, Inc. A.T.A. Building, Inc. Yeoman-Amerson Adv., Inc.
W. C. Roach, Jr.	Alabama Telephone Company
Mrs. Joyce B. Rodgers	Alabama Dental Association
Robert J. Russell	Alabama Broadcasters Assn.
Wayne F. Schweitzer	Air Transport Association
Leonard L. Shertzer, Jr.	Alabama Road Builders' Association
Stanley M. Slater	Alabama Gas Corporation
Don R. Slatton	Home Builders Association of Alabama
Elno A. Smith	Gordon Whitfield
Joseph W. Smith	Alabama State Chamber of Commerce
Winston Stewart	Association of County Commissioners of Alabama

Name	Name of Firm
Leslie Stifflemire	Alabama Legislative Board UTU—(E)
Harold E. Streetman	Automobile Dealers Association of Alabama, Inc.
T. W. Thagard	Outdoor Advertising Association of Alabama United States Brewers Association Board of Dental Examiners of Alabama Alabama State Department of Education
Frank L. Thiemonge, Jr.	Alabama Safety Council
Richard Thigpen	University of Alabama
William A. Thompson	City of Birmingham
M. D. Thornton	State Department of Education
W. Bancroft Timmons	Alabama Motorists Association
C. C. Torbert, Jr.	Alabama Bankers Association
A. G. Trammell	Alabama AFL-CIO
Kenneth W. Underwood, Jr.	South Central Bell Telephone Co.
Howard R. Vaughan	Liberty National Life Insurance Co.
John Franklin Watkins	Alabama League of Municipalities
James R. Watson	Alabama Home Furnishing Association
H. L. Welch	Carpenters Local Union 1796
J. Herbert White	Auburn University
James H. White, III	University of Alabama in Birmingham, Alabama
L. V. Whitey	Steelworkers Legislative Commission of Alabama
Charles H. Williams, Jr.	Mid-Continent Oil & Gas Assoc. Mississippi-Alabama Division
E. Ham Wilson	Alabama Cattlemen's Association

ADJOURNMENT

On motion of Mr. Perloff, the House, pursuant to H. J. R. 25 heretofore adopted, adjourned sine die at 5:00 o'clock P. M.

G. SAGE LYONS.

Speaker of the House of Representatives of the Legislature of Alabama,

Second Extraordinary Session, 1971.

Attest:

JOHN W. PEMBERTON

Clerk of the House of Representatives of the Legislature of Alabama,

Second Extraordinary Session, 1971.

HOUSE OF REPRESENTATIVES

SECOND EXTRAORDINARY SESSION 1971

ALPHABETICAL ROSTER AND DISTRICT

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Hugh Boles, 14
Drake Boutwell, 14
Quinton R. Bowers, 14
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Ben L. Erdreich, 14
Francis Falkenburg, 14
Rankin Fite, 9
Ronnie G. Flippo, 1
Robert C. "Bob" Gafford, 14
Tom Gloor, 14
J. W. "Joe" Goodwin, 5
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Fred D. Gray, 31
D. C. Grey, 12
Douglas V. Hale, 3
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ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

SECOND EXTRAORDINARY SESSION 1971

OFFICERS

G. SAGE LYONS, *Speaker*, Mobile

TOM GLOOR, *Speaker Pro-Tem*, Birmingham

JOHN W. PEMBERTON, *Clerk*, Montgomery

THOMAS J. BRYAN, *Assistant Clerk*, Auburn

JAMES W. CAMERON, *Reading Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
	Place No. 1		
		Ronnie G. Flippo	P. O. Box 1221, Florence 35630
	Place No. 2		
		Robert M. (Bob) Hill, Jr.	P. O. Box 933, Florence 35630
2	LIMESTONE & LAWRENCE		
	Place No. 1		
		Tommy Carter	Rt. 2, Elkmont 35620
	Place No. 2		
		Wayland Cross	Box D, Courtland 35618
3	MADISON		
	Place No. 1		
		Hartwell B. Lutz	972 State Nat'l. Bk. Bldg., Huntsville 35801
	Place No. 2		
		Charles Grainger	300 Sparkman Dr., N. W., Huntsville 35807
	Place No. 3		
		Bill G. King	704 Eustis Ave., S. E., Huntsville 35801
	Place No. 4		
		Glenn H. Hearn	Rt. 1, Gurley 35748
	Place No. 5		
		Douglas V. Hale	2105 Clubview Court N. W., Huntsville 35810
4	JACKSON		
		Bill Williams	Rt. 1, Box 63, Hollywood 35752
5	COLBERT & FRANKLIN		
	Place No. 1		
		J. W. (Joe) Goodwin	310 Ford Rd., Muscle Shoals 35660
	Place No. 2		
		Glen A. Reynolds	Rt. 3, Tuscumbia 35674

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

6 MORGAN

Place No. 1
David B. Cauthen ..... P. O. Box 1685, Decatur 35601

Place No. 2
Ralph E. Slate ..... P. O. Box 1344, Decatur 35601

7 MARSHALL & CULLMAN

Place No. 1
Finis E. St. John, III ..... P. O. Drawer K, Cullman 35055

Place No. 2
Sid McDonald ..... P. O. Box 546, Arab 35016

Place No. 3
Tom Drake ..... P. O. Box 36, Cullman 35055

8 DeKALB & CHEROKEE

Place No. 1
John M. Baker ..... P. O. Box 186, Rainsville 35986

Place No. 2
Clarence Chesnut, Jr. ..... P. O. Box 98, Gaylesville 35973

9 MARION & WINSTON

Rankin Fite ..... P. O. Box 157, Hamilton 35570

10 BLOUNT

Ralph Reid ..... 1301 Park Ave., Oneonta 35121

11 ETOWAH

Place No. 1
Gerald Wayne Waldrop ..... 1995 Scenic Drive, Gadsden 35901

Place No. 2
D. B. "Dave" Carnes ..... 823 Forest Ave., Gadsden 35901

Place No. 3
Retha Deal Wynot ..... 1120 Bellevue Dr., Gadsden 35901

12 LAMAR & FAYETTE

D. C. Grey ..... P. O. Box 202, Berry 35546

13 WALKER

Place No. 1
Alvis Naramore ..... 5th Ave., 19th St., Jasper 35501

Place No. 2
Robert T. Crowe ..... 2109 Gamble Ave., Jasper 35501

14 JEFFERSON

Place No. 1
J. Paul Meeks, Jr. ..... 3043 Weatherton Dr., Birmingham 35223

Place No. 2
James T. Waggoner, Jr. ..... P. O. Box 10566, Birmingham 35202

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 3
Robert L. "Bob" Ellis, Jr. ..... Rt. 1, Box 509, Adamsville 35005
Place No. 4
Ben L. Erdreich.....409 North 21st St., Suite 201, Birmingham 35203
Place No. 5
Richard F. Dill ..... 328 Observatory Dr., Birmingham 35206
Place No. 6
Robert D. "Bobby" Timmons ..... P. O. Box 8302, Ensley Station, Birmingham 35218
Place No. 7
Robert G. Adwell ..... 2109 Darlington St., Birmingham 35226
Place No. 8
Raymond Weeks ..... 3420 Altamont Rd., Birmingham 35205
Place No. 9
Chriss H. Doss ..... 917 Frank Nelson Bldg., Birmingham 35203
Place No. 10
Robert C. (Bob) Gafford .... 5345 Division Ave., Birmingham 35201
Place No. 11
Wade Wallace ..... 516 So. 73rd St., Birmingham 35212
Place No. 12
Drake Boutwell ..... 4461 Clairmont Ave., Birmingham 35222
Place No. 13
Francis Falkenburg ..... 2309 20th Ave., South, Birmingham 35223
Place No. 14
Horace W. Parker ..... 240 Pineywood Rd., Gardendale 35071
Place No. 15
Quinton R. Bowers.....1528 Shades Crest Road, Birmingham 35226
Place No. 16
Richard L. McBride ..... 3221 Ave. S, Apt. S, Birmingham 35208
Place No. 17
J. Earl Jones ..... 2022 Dartmouth Ave., Bessemer 35020
Place No. 18
Bennett L. Cherner ..... P. O. Box 669, Bessemer 35020
Place No. 19
Tom Gloor ..... Box 666, Bessemer 35020
Place No. 20
Hugh Boles ..... 2601 Carson Rd. Jeff State Jr. College, Birmingham 35215

15 ST. CLAIR

Roy H. (Doc) Coshatt ..... P. O. Box 766, Pell City 35125

16 CALHOUN

Place No. 1
Ray Burgess ..... 501 E. 49th St., Anniston 36201
Place No. 2
Hugh D. Merrill ..... P. O. Box 1498, Anniston 36201
Place No. 3
Donald W. Stewart.....124 E. 10th St., Anniston 36201

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

17 PICKENS & GREENE
William H. Lang ..... P. O. Box 426, Reform 35481

18 TUSCALOOSA
Place No. 1
John L. Culver ..... Route 3, Box 166, Tuscaloosa 35401
Place No. 2
Edward D. Robertson ..... P. O. Box 331, Northport 35476
Place No. 3
Tim Parker ..... P. O. Box 72, Tuscaloosa 35401
Place No. 4
Bert Bank ..... P. O. Box 2000, Tuscaloosa 35401

19 SHELBY
Tom Stubbs ..... Rt. 1, Box 14, Helena 35080

20 TALLADEGA
Place No. 1
Murray P. McCluskey ..... Box 599, Sylacauga 35150
Place No. 2
Philip H. (Phil) Smith ..... P. O. Box 15, Talladega 35160

21 CLAY & COOSA
Charles (Pete) Mathews ..... Box 355, Ashland 36251

22 CLEBURNE & RANDOLPH
John S. Casey ..... P. O. Box 266, Heflin 36264

23 HALE & BIBB
Walter Owens ..... 107 Court Square, West, Centreville 35042

24 CHILTON
Lewis W. Headley ..... P. O. Box 471, Clanton 35045

25 TALLAPOOSA
Kirby Smith ..... Rt. 1, Box 572, Dadeville 36853

26 CHAMBERS
Charles Snell ..... P. O. Box 387, Fairfax 36854

27 SUMTER, MARENGO & PERRY
Place No. 1
Ira D. Pruitt ..... P. O. Drawer PP, Livingston 35470
Place No. 2
Richard S. Manley ..... P. O. Drawer U, Demopolis 36732

28 DALLAS
Place No. 1
Paul C. Cottingham ..... Rt. 2, Box 276A, Selma 36701
Place No. 2
W. Milam Turner, Jr. ..... 7 Mimosa St., Selma 36701

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

29 AUTAUGA & LOWNDES
William D. Edwards ..... Rt. 1, Ft. Deposit 36032

30 ELMORE
H. H. (Runt) O'Daniel ..... Box 416, Tallassee 36078

31 MACON, BULLOCK & BARBOUR
Place No. 1
Thomas J. Reed ..... P. O. Drawer EE, Tuskegee Institute 36088
Place No. 2
Fred D. Gray ..... P. O. Box 239, Tuskegee 36083

32 LEE & RUSSELL
Place No. 1
Bowen Brassell ..... P. O. Box 573, Phenix City 36867
Place No. 2
Pete Turnham ..... P. O. Box 1592, Auburn 36830
Place No. 3
Charles H. Adams ..... P. O. Box 967, Phenix City 36867

33 CHOCTAW, CLARKE & WASHINGTON
Place No. 1
Grover Lamar Agee ..... P. O. Box 250, Chatom 36518
Place No. 2
Joe C. McCorquodale, Jr. ..... P. O. Box 535, Jackson 36545

34 WILCOX, MONROE & CONECUH
Place No. 1
Maston Mims ..... Rt. 1, Uriah 36480
Place No. 2
James E. Warren ..... Box 207, Castleberry 36432

35 MONTGOMERY
Place No. 1
Sam W. Taylor ..... 2429 Woodley Rd., Montgomery 36111
Place No. 2
James D. Harris, Jr. ..... 1110 Union Bank Bldg., Montgomery 36104
Place No. 3
Walker Hobbie, Jr. ..... Rt. 1, Box 384, Montgomery 36105
Place No. 4
Fred R. Jones ..... 132 So. Perry St., Montgomery 36104
Place No. 5
James D. Straiton ..... P. O. Box 4292, Montgomery 36104

36 BUTLER, CRENSHAW & PIKE
Place No. 1
L. Gardner Bassett ..... 206 Orange St., Troy 36081
Place No. 2
William E. (Gene) Hardin, Jr. ..... P. O. Box 507, Greenville 36037

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

37 MOBILE

Place No. 1
James C. (Jim) Wood ..... 1010 Van Antwerp Bldg., Mobile 36602

Place No. 2
Ben Stokes ..... P. O. Box 293, Mobile 36601

Place No. 3
Mayer W. (Mike) Perloff ..... 257 St. Anthony St., Mobile 36603

Place No. 4
Charles C. Therrell ..... 203 No. Gould Ave., Whistler 36612

Place No. 5
H. L. Callahan ..... P. O. Box 1208, Mobile 36601

Place No. 6
G. Sage Lyons ..... P. O. Box 2727, Mobile 36601

Place No. 7
Bert Nettles ..... P. O. Box 2232, Mobile 36601

Place No. 8
Maurice A. "Casey" Downing ..... P. O. Box 4457, Mobile 36604

Place No. 9
W. M. (Monty) Collins ..... P. O. Box 1411, Mobile 36601

Place No. 10
Bill Roberts ..... 148 Tuscaloosa St., Mobile 36607

38 BALDWIN

Place No. 1
Daniel L. Kinsey ..... P. O. Box 877, Foley 36535

Place No. 2
Thomas H. Benton ..... Rt. 2, Box 185, Foley 36535

39 ESCAMBIA

Philip T. May ..... P. O. Box 326, Brewton 36426

40 COVINGTON & GENEVA

Place No. 1
Frank Jackson ..... Box 408, Opp 36467

Place No. 2
Harold B. Wise ..... Rt. 2, Box 156, Kinston 36453

41 COFFEE

Douglas Easters ..... 573 East Davis St., Elba 36323

42 DALE

Fred Barkett ..... Box 430, Ozark 36360

43 HOUSTON & HENRY

Place No. 1
Buddy Crawford ..... Columbia Road, Abbeville 36310

Place No. 2
B. W. Connell ..... Rt. 5, Box 141, Dothan 36301

ROSTER OF THE SENATE OF ALABAMA

SECOND EXTRAORDINARY SESSION 1971

Jere Beasley, *Lieutenant Governor* ..... Clayton

Pierre Pelham, *President Pro-Tem* ..... Mobile

McDowell Lee, *Secretary* ..... Montgomery

Mrs. F. B. Ruffer, *Assistant Secretary* ..... Montgomery

First Senatorial District—Lauderdale and Colbert Counties.
Stewart O'Bannon, Jr. ..... P. O. Box 147, Florence 35630

Second Senatorial District—Limestone and Morgan Counties.
Bob Harris ..... P. O. Box 1727, Decatur 35601

Third Senatorial District—Madison County.
Gene McLain ..... P. O. Box 2008, Huntsville 35804

Fourth Senatorial District—Jackson, DeKalb and Cherokee Counties.
Kenneth Hammond ..... Box 65, Valley Head 35989

Fifth Senatorial District—Franklin, Marion, Lawrence and Winston Counties.
Joe Fine ..... P. O. Box 818, Russellville 35653

Sixth Senatorial District—Cullman and Walker Counties.
Robert T. (Bob) Wilson ..... P. O. Box 1090, Jasper 35501

Seventh Senatorial District—Marshall, Blount and St. Clair Counties.
Aubrey J. Carr ..... 10 Windsor Drive, Guntersville 35976

Eighth Senatorial District—Etowah County.
Richard Malone ..... 416 Noccalula Drive, Gadsden 35901

Ninth Senatorial District—Calhoun County.
Fred Ray Lybrand ..... 1111 Quintard Avenue, Anniston 36201

Tenth Senatorial District—Lamar, Fayette, Pickens, Greene and Hale Counties.
James A. Branyon, II ..... P. O. Box 600, Fayette 35555

Eleventh Senatorial District—Tuscaloosa County.
Richard C. Shelby ..... 406 First Federal Savings Building, Tuscaloosa 35401

Twelfth Senatorial District—Jefferson County.

Place No. 1
Paschal P. "Pat" Vacca ..... 929-30 Frank Nelson Building, Birmingham 35203

Place No. 2
Tom King ..... 1403 City Federal Bldg., Birmingham 35203

Place No. 3
John H. Hawkins, Jr. ..... 1841 Montclair Dr., Birmingham 35216

Place No. 4
Richard Dominick ..... 927 Brown Marx Bldg., Birmingham 35203

Place No. 5
Geo. Lewis Bailes, Jr. ..... 621 Massey Bldg., Birmingham 35203

Place No. 6
Eddie Hubert Gilmore ..... P. O. Box 546, Bessemer 35020

ROSTER OF THE SENATE OF ALABAMA—Continued

Place No. 7
Doug Cook ..... 1620 Stonewall Dr., Birmingham 35226

Thirteenth Senatorial District—Talladega, Clay and Cleburne Counties.
Robert (Bobby) Weaver ..... P. O. Box 394, Talladega 35160

Fourteenth Senatorial District—Bibb, Perry and Dallas Counties.
Walter C. Givhan ..... Safford 36773

Fifteenth Senatorial District—Shelby, Coosa, Chilton and Autauga Counties.
Obie J. Littleton ..... P. O. Box 1288, Clanton 35045

Sixteenth Senatorial District—Tallapoosa, Elmore and Macon Counties.
Robert H. Wilder ..... P. O. Box 38, Dadeville 36853

Seventeenth Senatorial District—Randolph, Chambers and Lee Counties.
Don Horne ..... 308 South 13th Avenue, Lanett 36863

Eighteenth Senatorial District—Sumter, Marengo, Choctaw and Washington Counties.
W. H. (Pat) Lindsey, III ..... 126 S. Mulberry Avenue, Butler 36904

Nineteenth Senatorial District—Wilcox, Clarke, Monroe and Conecuh Counties.
Roland Cooper ..... P. O. Box 220, Camden 36726

Twentieth Senatorial District—Lowndes, Butler, Crenshaw and Covington Counties.
E. C. (Crum) Foshee ..... P. O. Box J, Red Level 36474

Twenty-first Senatorial District—Montgomery County.

Place No. 1
J. J. (Junie) Pierce ..... P. O. Box 485, Montgomery 36104

Place No. 2
W. Tom Jones ..... 2193 Woodley Road, Montgomery 36111

Twenty-second Senatorial District—Bullock, Pike, Coffee and Geneva Counties.
L. L. Dozier ..... P. O. Box 354, Troy 36081

Twenty-third Senatorial District—Russell, Barbour and Henry Counties.
James S. (Jimmy) Clark ..... P. O. Box 71, Eufaula 36027

Twenty-fourth Senatorial District—Mobile County.

Place No. 1
L. W. "Red" Noonan ..... 161 McGregor Avenue, Mobile 36608

Place No. 2
Pierre Pelham ..... 919 Dauphin Street, Mobile 36604

Place No. 3
Robert S. Edington ..... 50 St. Emanuel Street, Mobile 36602

Twenty-fifth Senatorial District—Baldwin and Escambia Counties.
L. D. (Dick) Owen, Jr. ..... P. O. Box 45, Bay Minette 36507

Twenty-sixth Senatorial District—Houston and Dale Counties.
Larry Register ..... P. O. Box 1845, Dothan 36301

LEGISLATIVE DAYS

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JOURNAL

OF THE

House of Representatives

OF THE

STATE OF ALABAMA

THIRD EXTRAORDINARY SESSION OF 1971

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, NOVEMBER 30, 1971

WITH AN INDEX PREPARED BY THE
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JOURNAL
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HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
THIRD EXTRAORDINARY SESSION OF 1971

FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, November 30, 1971

Be it remembered that on the 23rd day of November, 1971, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there is a critical and pressing need for tax reform in this State particularly in the field of ad valorem taxation in order to avoid an intolerable and unbearable tax burden that must be borne by the homeowner if the present rate of 60% of the market value is not changed; and

WHEREAS, there exist this extraordinary occasion and special circumstance which compels and demands the convening of the Legislature in an extraordinary session as prescribed by Section 122 of the Constitution of Alabama 1901, all in the public interest and for the public good.

NOW, THEREFORE, I, George C. Wallace, as Governor of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government in Montgomery, Alabama, at 12:00 noon on Tuesday, November 30, 1971, and I do hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to provide for the valuation and assessment of real and personal property for ad valorem taxation at a percentage of the value thereof that is uniform, fair, reasonable and equitable and which does not amount to a confiscation of the property of the homeowner in Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this Proclamation at the Capitol in the City of Montgomery

on the 23d day of November, 1971.

GEORGE C. WALLACE,
Governor.

In pursuance whereof, at the hour of 12 o'clock noon on Tuesday, the 30th day of November, 1971, the Representatives of the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Dabney Phillips, Minister, Cloverdale Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Culver	Jones (F)	Robertson
Agee	Dill	King	St. John
Baker	Doss	Kinsey	Slate
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Straiton
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Lutz, leave of absence was granted for Mr. Hale, due to personal business.

On motion of Mr. Stokes, leave of absence was granted for Mr. Nettles, due to personal business.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Gloor:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House be directed to notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Mr. Gloor:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House, in accordance with the provisions of House Joint Resolution No. 2 heretofore adopted, Messrs. Headley, Lang and Callahan.

Also:

By Mr. Gloor:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 12:30 p.m. today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be named by the Spaker of the House, and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House, in accordance with the provisions of House Joint Resolution No. 3 heretofore adopted, Messrs. Headley, Lang and Callahan.

Also:

By Messrs. Bank, Robertson, Culver, Parker (T), Hearn, Mathews, Drake and Harris:

H. J. R. 4. CONGRATULATING THE UNIVERSITY OF ALABAMA FOOTBALL TEAM, COACH PAUL "BEAR" BRYANT AND HIS ASSISTANT COACHES FOR THEIR OUTSTANDING FOOTBALL SEASON.

WHEREAS the University of Alabama football team, "The Crimson Tide" did truly have an outstanding season, beginning on a warm humid night in Southern California and ending the splendid twilight of an Alabama Fall; and

WHEREAS this football team equipped with talent, pure desire and flaming determination did complete the season with a fantastic record of 11–0–0; and

WHEREAS this football team did establish a record by winning the tenth Southeastern Conference Championship won or shared by a University of Alabama football team; and

WHEREAS this football team did complete the seventh unbeaten, untied season for the University of Alabama in the Nation's toughest football conference; and

WHEREAS Coach Paul "Bear" Bryant did demonstrate a remarkable performance of "The Art of Aquatic Strolling" and continued to add to his marks in the annals of football history; and

WHEREAS the assistant coaches formed the backbone of this mighty Alabama football team and performed their tasks with complete and unselfish dedication to the cause; and

WHEREAS the University of Alabama football team, Coach Paul "Bear" Bryant and his coaching staff did cause stars to fall upon the great State of Alabama; and

WHEREAS the University of Alabama football team will play the University of Nebraska in the Orange Bowl under a Miami moon New Year's night to determine the National Championship; and

WHEREAS this Legislature is happy to know that Coach Bryant's "water wings" have not lost their buoyancy as he continues to walk up-stream over turbulent waters and wishes to offer the University of Alabama football team best wishes in the forth-coming Orange Bowl game; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its proud congratulations to the entire University of Alabama football team, Coach Bryant, the assistant coaches, and wishes the football team victory and honor in the Orange Bowl.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Coach Bryant, the assistant coaches, and the players of the University of Alabama football team.

On motion of Mr. Bank, the rules were suspended and the resolution, H. J. R. 4, was adopted.

Also:

By Mr. Grey (D):

H. J. R. 5. Distinguished Colleagues—It has never been the custom of the Citizens of this Great State to accept injustice or to condone unfair practices such as were exhibited to the people of this nation by "Bear" Bryant on this past Saturday. His conduct was unsportsman like in that the University of Alabama willfully and selfishly retained possession of the football and therein deprived Shug Jordan and the Auburn University of the use of the football;

THEREFORE, be it resolved by the Legislature of the State of Alabama that we do not condone this activity, that this is in fact an unsportsman like act;

THEREFORE, we do hereby appropriate the sum of $21.00 + state tax to the said Auburn University for the purpose of purchasing their own football;

Be it further resolved that they be allotted equal time in which to play with said football.

This resolution is hereby adopted by the Legislature of Alabama, officially assembled in Montgomery, on this the 30th day of Nov., 1971.

On motion of Mr. Grey (D), the rules were suspended and the resolution, H. J. R. 5, was adopted.

Also:

By Messrs. Ellis, Robertson, Bank, Cauthen, Waggoner, Drake, Adwell, Culver, Weeks, Doss, Erdreich, Falkenburg, Parker (H), Wallace, Dill, Jones (F), Boles, Gafford, Cherner, Meeks, Parker (T) and Timmons:

H. J. R. 6. COMMENDING JOHNNY MUSSO

WHEREAS, Johnny Musso, alias The Italian Stallion, has brought national recognition to the great State of Alabama for his skill on the gridiron; and

WHEREAS, Johnny Musso, from Birmingham, who attended Banks High School and who is presently a senior at the University of Alabama, majoring in pre-law, used his swivel hips, powerful leg drive, determination, courage, and endurance to carry the ball 574 times in 30 games in his three years at the University of Alabama, which is a S. E. C. record; rushed for 2,741 yards, which is also a S. E. C. record; was the only University of Alabama player to rush over a 1,000 yards two seasons consecutively and to carry the ball 42 times in one game, both S. E. C. records; scored 232 points in his career, a S. E. C. record; averaged 91.4 yards per game rushing in his career and 4.8 yards per career rush, both are S. E. C. records; tied the record for most touchdowns per game at 4; became three-time All S. E. C. player; was two-time academic All-American; became first Alabama player to receive Post-Graduate Scholarship Award; was named to most first team All-Ameri-

can's in 1970 and 1971; holds 14 University of Alabama individual records; was named one of four NCAA players to tour our Armed Forces in Vietnam; and

WHEREAS, Johnny Musso, in the process of placing his name in the record books of college football, thrilled the fans of Alabama, and gave rise to many "Roll Tides" throughout the land; and

WHEREAS, the Legislature wishes to congratulate and honor Johnny Musso; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Johnny Musso is hereby congratulated on behalf of the State of Alabama for his truly outstanding career of achievement in the field of college football.

On motion of Mr. Ellis, the rules were suspended and the resolution, H. J. R. 6, was adopted.

Also:

By Messrs. Ellis, Turnham, Waggoner, Cauthen, Robertson, Drake, Adwell, Culver, Weeks, Doss, Erdreich, Falkenburg, Parker (H), Wallace, Dill, Jones (F), Boles, Gafford, Cherner, Meeks, Parker (T) and Timmons:

H. J. R. 7. COMMENDING PATRICK JOSEPH SULLIVAN

WHEREAS, Patrick Joseph Sullivan, the Heisman Trophy winner for 1971, has brought national recognition to the great State of Alabama for his skill on the gridiron; and

WHEREAS, Pat Sullivan, who attended John Carroll High School in Birmingham, and who is presently a senior at Auburn University, majoring in business administration, used his strong right arm and unerring aim to set a new NCAA record for yards gained per play of 8.57 in 1970; to lead the nation in total offense, gaining an average of 285.6 yards per game in 1970; to gain over 300 yards per game in five games in 1970; to be named Player of the Year in the S. E. C. for 1970 by the Nashville Banner poll of coaches, the Atlanta Touchdown Club and the Birmingham Quarterback Club; to be honored with the Benny Marshall Award as the outstanding player in the Auburn-Alabama game of 1970; to lead the nation in 1970 with a touchdown responsibility of 26; to pass 281 times and complete 162 passes for 2,012 yards in 1971; Pat ran for 84 yards to make his total 2,096 yards in 1971; his touchdown responsibility for 1971 was 22 which tied the national record of a career total of 71; Pat again was named S. E. C. Player of the Year in 1971; he finished All-time third in NCAA career total offense with 6,844 yards; he finished fifth in All-time NCAA career passing yards with 6284 yards; and he is sixth in All-time career pass completions with 452; Pat was named on several All American teams in 1970 and early in 1971; he was elected captain of the 1971 Auburn team; was named outstanding player of the 1970 Gator Bowl and to the All-time Gator Bowl team; Auburn University had a 26–6–0 record with Pat Sullivan as quarterback.

WHEREAS, Patrick Joseph Sullivan who brought honor to the State of Alabama and joy to the hearts of all War Eagles is a true gentleman; and

WHEREAS, the Legislature wishes to congratulate and honor Pat Sullivan; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Sullivan is hereby congratulated on a truly outstanding football career at Auburn University on behalf of the State of Alabama.

On motion of Mr. Ellis, the rules were suspended and the resolution, H. J. R. 7, was adopted.

Also:

By Messrs. Jones (F), Ellis, Wallace, Dill, Robertson, Timmons, Taylor, Waggoner and Hobbie:

H. J. R. 8. WHEREAS, Terry Paul Beasley is the best pass receiver the Southeastern Conference has ever had, and has brought national recognition to the great State of Alabama for his skill on the gridiron; and

WHEREAS, Terry Paul Beasley, who hails from Robert E. Lee High School in Montgomery, and is presently a senior at Auburn University majoring in Physical Education, used his slippery moves, quick hands and blazing speed to lead the Southeastern Conference in scoring in 1970; to finish 15th in the nation in pass receiving with 52 catches for 1,051 yards; to gain an average of 20.2 yards per catch which was the best in the nation; to catch 11 touchdown passes and run one touchdown on a 34 yard end-around against Florida; to be named to the Football News All American team for 1970; to catch 55 passes in 1971 and score 12 touchdowns while gaining 846 yards with double and triple coverage on him most of the time; Terry's receptions set a Southeastern Conference career record for most yards receiving with 2,508 yards which placed him eighth nationally for all-time; to also make most career touchdown receptions with 29 which is 3rd all-time nationally; Terry has been named to several All American teams in 1971; and

WHEREAS, "Sullivan to Beasley" has become college footballs best known battery in 1971, and Terry the receiver, exemplified true sportsmanship and real character, both on the football field and off the field, to the delight of all "War Eagles"; and

WHEREAS, The Legislature wishes to congratulate and honor Terry Paul Beasley; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Beasley is hereby congratulated for a brilliant career at Auburn University on behalf of the State of Alabama.

On motion of Mr. Jones (F), the rules were suspended and the resolution, H. J. R. 8, was adopted.

Also:

By Messrs. Weeks, Lyons, Waggoner, Adwell and Robertson:

H. J. R. 9. Commending the Civitan Clubs of Alabama on Their Promotion of Alabama Clergy Week

WHEREAS on February 3, 1943 the Troop Transport Dorchester was torpedoed and sunk off the coast of Greenland. Among the six hundred and seventy-eight men in that disaster were four chaplains—a priest, a rabbi and two ministers. These pastors had given their life jackets to soldiers who had lost theirs; and

WHEREAS today, and for centuries, clergymen of all faiths have stood firm and given unselfishly of life and commitment in the spiritual growth of mankind. They stand as a constant witness—by thought, word and deed—to a living reality of a redemptive God for all men; and

WHEREAS we look always to the clergy for their religious leadership and guidance, a leadership which is not always limited to our houses of worship, but has found a place importantly in our homes and businesses; and

WHEREAS Alabama Civitans are joining with its parent organization this year, along with concerned churches and citizens everywhere, in recognizing the valuable and important role of our clergy in spiritually strengthening our lives, our homes, our communities, and this state and nation; and

WHEREAS the week of January 30 through February 5, 1972 has been proclaimed as "Alabama Clergy Week"; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature commends the Civitan Clubs of Alabama on their promotion of "Alabama Clergy Week" and also commends the clergy leadership for their religious leadership and guidance.

On motion of Mr. Weeks, the rules were suspended and the resolution, H. J. R. 9, was adopted.

RECESS

On motion of Mr. Gloor, the House recessed until 12:30 o'clock p. m., for a Joint Session.

JOINT SESSION

The hour of 12:30 o'clock p. m. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 3 heretofore adopted, for the purpose of hearing an address by the Honorable George C. Wallace, Governor of the State of Alabama.

The Joint Session was called to order by the Honorable Jere Beasley, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the Joint Session and delivered his message to the Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 1. To amend Act No. 74, Acts of Alabama, Special Session 1961 approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

Judiciary.

By Mr. Merrill:

H. 2. To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama court of Civil Appeals to the Supreme Court of Alabama.

Ways and Means.

By Mr. Merrill:

H. 3. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit judges to temporary duty with the Appellate Courts.

Ways and Means.

By Messrs. Hardin, Burgess, Bank, Gainger, Crawford, Lyons, McCorquodale, Owens, Kinsey, Benton, Bassett, Carnes, Cauthen, Timmons, Mims and Barkett:

H. 4. To make additional appropriations to the Divisions of Game and Fish, Water Safety, Administrative and State Parks of the Department of Conservation and Natural Resources.

Ways and Means.

By Messrs. Hardin, Burgess, Bank, Grainger, Crawford, Lyons, McCorquadale, Owens, Kinsey, Benton, Bassett, Carnes, Cauthen, Timmons, Mims and Barkett:

H. 5. To make appropriations from the Water Safety Fund in the State Treasury for Division of Water Safety capital improvements.

Ways and Means.

By Mr. Mathews:

H. 6. To amend Section 18 of Act No. 2052, S. 122, 1971 Regular Session approved October 1, 1971, entitled, "An Act To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act."

Ways and Means.

By Mr. Mathews:

H. 7. Relating to the Alabama Insurance Code; to amend Section 518, of Act No. 407, H. 198, 1971 Regular Session, approved August 6, 1971.

Ways and Means.

By Messrs. Hardin, Edwards and Bassett:

H. 8. To provide expense allowance to circuit judges in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Ways and Means.

By Messrs. Hardin, Edwards and Bassett:

H. 9. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Second Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Hardin, Edwards and Bassett:

H. 10. To regulate further the excusing of persons from jury service in the Second Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Local Legislation No. 1.

By Messrs. Hardin, Edwards and Bassett:

H. 11. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Local Legislation No. 1.

By Messrs. Hardin, Edwards and Bassett:

H. 12. Relating to the method of giving notice of the requirement of attendance of Jury service in the Second Judicial Circuit of Alabama.

Local Legislation No. 1.

By Mr. Hardin:

H. 13. To amend Title 13, Section 178, Code of Alabama 1940, pertaining to expenses allowed certain circuit judges.

Ways and Means.

By Messrs. Benton and Kinsey:

H. 14. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the county commissioners elected in each such county.

Local Legislation No. 1.

By Mr. Perloff:

H. 15. Relating to counties having populations of not less than

300,000 nor more than 600,000; authorizing the payment of overtime to certain employees of such counties and of municipalities in such counties.

Local Legislation No. 3.

By Mr. Warren:

H. 16. To amend Section 5 of Act #2307 of 1971 Regular Session relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

Ways and Means.

By Mr. Carter:

H. 17. To amend the title and Section 1 of Act No. 439, S. 731, Regular Session 1971 (Acts 1971, p.), which relates to salaries of courthouse employees and to provide for equipment and supplies in certain counties classified on a population basis.

Local Legislation No. 1.

By Mrs. Wynot:

H. 18. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Ways and Means.

By Mrs. Wynot:

H. 19. To amend Title 52, Section 41, Code of Alabama 1940 as amended; to provide for the salary of the state superintendent of education; to repeal all laws in conflict herewith and to provide for an effective date of this act.

Ways and Means.

By Messrs. Goodwin and Reynolds:

H. 20. To apply only to counties having a population of not less than 49,000, nor more than 52,000; to fix the salary and allowances of the coroner in such counties; to provide for salary and allowances when said coroner is called upon to serve as sheriff, and to provide for a referendum.

Local Legislation No. 1.

By Mr. Barkett:

H. 21. To fix the compensation of the sheriffs of all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Timmons, Meeks, Weeks, Adwell, Bowers, Falkenburg, Doss, Ellis, Parker (H), Erdreich, Boutwell, Wallace, Dill, Boles, Gafford, Gloor, Waggoner, Cherner, Jones (E) and McBride:

H. 22. To amend Section 1 of Act #206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Local Legislation No. 2.

By Messrs. Gafford, Timmons, Cherner, Parker (H), Dill, Wallace, Boles, Meeks, Falkenburg, Erdreich, Doss, Waggoner, Bowers, Boutwell, Adwell, Jones (E), Weeks, Gloor and McBride:

H. 23. To apply in all counties of this State having a population of 500,000 or more, according to the last or any succeeding federal census; to provide that any judge or judges who are members of any county retirement system and who may become supernumerary judge or judges pursuant to law, shall, upon becoming supernumerary, be considered as retired fully and shall be entitled to the earned benefits as provided for retired members of any county retirement system to which they belong, and to provide that all contributions into such county retirement system by such member shall be refundable in accordance with the provisions of any such county retirement system.

Local Legislation No. 2.

By Messrs. Parker (H), Timmons, Dill, Wallace, Doss, Erdreich, Falkenburg, Gloor, Weeks, Ellis and Bowers:

H. 24. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Local Legislation No. 2.

By Messrs. Parker (H), Timmons, Gafford, Dill, Wallace, Boles, Doss, Erdreich, Falkenburg, Jones (E), Boutwell, Gloor, Weeks and Bowers:

H. 25. To authorize the governing body of any county to pay the expenses of canvassing votes cast in any primary election held in such county.

Constitution and Elections.

By Messrs. Parker (H), Erdreich, Adwell, Timmons, Boles, McBride, Doss, Falkenburg, Wallace, Dill, Gafford, Ellis, Gloor, Cherner, Jones (E), Boutwell, Weeks and Bowers:

H. 26. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

Local Legislation No. 2.

By Messrs. St. John and McDonald:

H. 27. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

Judiciary.

By Messrs. St. John and McDonald:

H. 28. Validating contracts entered into Sunday either before or after the effective date of the Act, and repealing Section 21, of Title 9, Alabama Code of 1940.

Judiciary.

By Messrs. St. John and McDonald:

H. 29. To give effect to deeds, mortgages and other conveyances of interests in land heretofore executed by a married woman without the joinder of her husband, and to repeal Section 73, of Title 34, of the Alabama Code of 1940, relating to the joinder of the husband in the deed of his wife.

Judiciary.

By Messrs. St. John and McDonald:

H. 30. Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a conclusive presumption as to the power of certain corporate officers; extending the effect of Section 58, of Act Number 414, Alabama Laws, Regular Session, 1959, dealing with the defense of ultra vires, to all corporations organized for private profit and giving retroactive effect to the provisions of this act.

Judiciary.

By Messrs. St. John and McDonald:

H. 31. Curing certain defects in instruments affecting title to land recorded either before or after the effective date of this Act.

Judiciary.

By Messrs. St. John and McDonald:

H. 32. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Judiciary.

By Messrs. St. John and McDonald:

H. 33. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Judiciary.

By Messrs. St. John and McDonald:

H. 34. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewide effect.

Judiciary.

By Messrs. St. John and McDonald:

H. 35. Creating a presumption as to the delivery of instruments conveying interests in land, recorded either before or after the passage of this Act.

Judiciary.

By Messrs. St. John and McDonald:

H. 36. Giving the protection afforded an innocent purchaser for value of those receiving quitclaim deeds or similar instruments either before or after the passage of this act.

Judiciary.

By Messrs. St. John and McDonald:

H. 37. Limiting the Duration of Contracts for the Sale of Land and Limiting the Notice of Contracts for the Sale of Land recorded Either before or After the Effective Date of this Act.

Judiciary.

By Messrs. St. John and McDonald:

H. 38. To further regulate the creation, exercise and termination of powers of attorney and to validate the exercise of certain powers of attorney now of record.

Judiciary.

By Messrs. St. John and McDonald:

H. 39. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

Judiciary.

By Messrs. St. John and McDonald:

H. 40. To limit the duration of options to purchase land and the duration of notice of options heretofore or hereafter recorded.

Judiciary.

By Messrs. Pruitt, Cauthen, Doss, Crowe, Slate, Gafford, Lutz, St. John, Perloff and Fite:

H. 41. To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama Court of Civil Appeals to the Supreme Court of Alabama.

Ways and Means.

By Messrs. Pruitt, Cauthen, Doss, Erdreich, Gafford, Crowe, Slate, Lutz, St. John and Fite:

H. 42. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur

in the Court's decision; and to appropriate monies to carry out the provisions hereof.

Ways and Means.

By Mr. Smith (P):

H. 43. To amend Title 51, Section 46, Code of Alabama 1940, which relates to estimating the value of property for the purpose of taxation.

Ways and Means.

By Mr. Hale:

H. 44. To propose an amendment to the Constitution of Alabama further regulating ad valorem taxation; to provide for adjusting assessment rates for purposes of state taxation; and also adjusting millage rates of local taxes so that the total local taxes will not be vastly affected by the change in the assessment values.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hale:

H. 45. To regulate the rate of assessing property for taxation; repealing conflicting laws and providing that under certain circumstances this Act may have retroactive effect.

Ways and Means.

By Mr. Hale:

H. 46. To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Ways and Means.

By Messrs. O'Daniel and Headley:

H. 47. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. O'Daniel and Headley:

H. 48. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Stewart and Flippo:

H. 49. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Ways and Means.

By Messrs. Drake, McDonald and Gloor:

H. 50. To provide that all highway user taxes collected or received by any county where the construction and maintenance of roads and bridges has been taken over by the State Highway Department shall be paid to the State Highway Department for expenditure on the public roads and bridges of that county; to define the term "highway user" taxes.

Rules.

By Messrs. Drake, McDonald and Gloor:

H. 51. To provide that the Director of the State Highway Department shall have the paramount authority and discretion to decide all questions governing the construction and maintenance of roads or bridges in counties where the construction and maintenance of roads or bridges has been taken over by the State Highway Department.

Rules.

By Messrs. Gloor, Doss, Erdreich, Parker (H), Falkenburg and Ellis:

H. 52. To authorize any city having a population of 300,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the city suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, the county in which any such city is located, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such city may be joint lessee with such county or with any other municipality in such county and that the obligations of any such city may be individual and separate or joint and several, to provide that the obligations of any such city under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such city under any such lease or contract in the budget of such city and that any such city shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, and to exempt any such contract or lease from all taxation and all other provisions of law with respect thereto.

Local Legislation No. 2.

By Messrs. Gloor, Doss, Erdreich, Parker (H), Falkenburg and Ellis:

H. 53. To authorize any county having a population of 600,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the county suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, any city located in the county, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such county may be joint lessee with any other municipality in such county and that the obligations of any such county may be individual and separate or joint and several, to provide that the obligation of any such county under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such county under any such lease or contract in the budget of such county and that any such county shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, to provide that the approval of such lease or contract of lease by the governing body of any such county shall be sufficient and that no other approval, registration, audit or allowance shall be required, and to exempt any such contract or lease from all taxation, from the provisions of Chapter 6 of Title 12 of the Code of Alabama of 1940, as amended, and all other provisions of law with respect thereto.

Local Legislation No. 2.

By Messrs. Erdreich, Doss, Falkenburg, Gafford, Cherner, Wallace, Timmons, Dill, Jones (E), Ellis, Adwell and Weeks:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

Local Legislation No. 2.

By Mr. O'Daniel:

H. 55. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Local Legislation No. 1.

By Messrs. McCorquodale, Smith (P), Mathews, Cottingham, Edwards, Bassett, Jackson, Turner, Mims, Warren, Agee, Benton, Hobbie, Kinsey, Barkett, Pruitt, Owens, Jones (F), Wise, Smith (K), Stubbs, Headley and Brassell:

H. 56. Proposing an amendment to Article XI, Section 217, of the

Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McCorquodale, Smith (P), Mathews, Cottingham, Edwards, Bassett, Mims, Jackson, Warren, Agee, Turner, Benton, Hobbie, Kinsey, Barkett, Pruitt, Owens, Wise, Jones (F), Smith (K), Stubbs, Headley and Brassell:

H. 57. To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state and county ad valorem taxes not to exceed two thousand dollars ($2,000) in assessed value for state tax purposes and one thousand dollars ($1,000) in assessed value for county tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to establish a classification system of property taxation and fix assessment rates for each class of property; to amend Title 51, Section 2 (m), Code of Alabama 1940, so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2(q), Code of Alabama 1940, so as to exempt all household furniture, fixtures and personal effects and to add to Section 2 as Subsection (t) the following: "Inventories of goods, wares and merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars ($10,000) in assessed value"; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Ways and Means.

By Messrs. Jones (E), Gloor, Boles, Wallace, Doss, Cherner and Parker (H) (With Notice and Proof):

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

Local Legislation No. 2.

Notice and Proof H. 58:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session

1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), is amended to read as follows:

"In each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the circuit court, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the circuit court of Jefferson County, Alabama, there shall be taxed as costs the sum of one dollar. In each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, there shall be taxed as costs the sum of fifty cents. In each civil case hereafter filed in any statutory inferior court in the Birmingham Division of Jefferson County where the amount claimed in the complaint exceeds one hundred dollars there shall be taxed as costs the sum of twenty-five cents and, where the amount claimed is one hundred dollars and less, there shall be taxed as costs the sum of ten cents. In each civil case hereafter filed in any other statutory inferior court in Jefferson County (other than those in the Birmingham Division) there shall be taxed as costs the sum of twenty-five cents. The costs taxed in pursuance of this section shall be collected as other costs in such cases are collected, and when collected by the clerks of such courts (including registers in chancery) shall be by them paid to the treasurer of Jefferson County. The sums paid to the county treasurer by the clerk and deputy register of the circuit court at Bessemer, Alabama, and other clerks of courts in the territorial jurisdiction of the circuit court at Bessemer, or which are collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the circuit court at Bessemer shall be kept in a separate fund designated as Jefferson County Law Library Fund (Bessemer), and shall be expended by the senior circuit judge, in point of service, sitting at Bessemer for the maintenance of a law library in the Court House at Bessemer. The sums paid to the county treasurer by the clerk and register of the circuit court at Birmingham and other clerks in the territorial jurisdiction of the circuit court at Birmingham, or collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the circuit court at Birmingham shall be kept by the treasurer in another separate fund designated as Jefferson County Law Library Fund (Birmingham), and shall be expended by a circuit judge of the circuit court at Birmingham, selected by the circuit judges of the Birmingham division, for maintaining a law library in the Court House at Birmingham, Said judges shall respectively draw warrants on the treasurer for expenditures by them, indicating on the warrants the fund against which the warrants are drawn. The said items of cost above referred to shall be designated as law library fee, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount

paid as costs to any other item of costs. On or before the tenth day of each month, the clerks of the respective courts (including registers in chancery) shall pay to the county Treasurer all amounts collected for said law library fees previous to the first day of the month. All books or other property purchased with the funds produced by this section shall be the property of Jefferson County. The management of the law library in the court house at Bessemer is vested in the senior circuit judge, in point of service, sitting at Bessemer; and the management of the law library in the court house at Birmingham is vested in a circuit judge of the Birmingham division, to be selected by the circuit judges of the Birmingham division."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and make a part of this affidavit, and there the dates on which same was published were: October 1, 8, 15, 22, 1971.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 29th day of November, 1971.

JOHN E. SMITH,
Notary Public.

By Messrs. McCorquodale, Smith (P) and Cottingham:

H. 59. To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

Ways and Means.

By Messrs. McCorquodale and Smith (P):

H. 60. To designate the department of revenue as the agency to compute the adjustment of county and municipal rates of the ad valorem tax for the purpose of stabilizing such tax at its level before equalization; to provide for collection of tax on new and escaped property and to make this Act effective on adoption of a constitutional amendment proposed by this session of the legislature providing for the adjustment of county and municipal tax rates.

Ways and Means.

By Messrs. McCorquodale and Smith (P):

H. 61. To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a state-wide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McCorquodale and Owens:

H. 62. To subject certain intangible personal property to ad valorem taxation: for such purpose amending Code of Alabama 1940, Title 51, Sections 2, 21, 25, 372 and 431 in order to delete certain intangibles from the enumeration of persons and property exempt from ad valorem taxation, to include certain intangibles in the enumeration of subjects of taxation, and to eliminate certain provisions of law exempting from ad valorem taxation shares of stock in corporations when certain other excise, license or privilage taxes have been paid.

Ways and Means.

By Messrs. McCorquodale, Bank, Cauthen, Barkett, Merrill, Wallace, Smith (P), Carnes, Agee and Lyons:

H. 63. To make a supplemental appropriation to the Legislative Reference Service for the fiscal years ending September 30, 1972, and September 30, 1973.

Ways and Means.

By Messrs. McCorquodale, Carnes, Smith (P), Agee and Lyons:

H. 64. To make additional appropriations for the Tennessee-Tombigbee Waterway Development Authority for each of the fiscal years ending September 30, 1972 and September 30, 1973, providing that such appropriations shall be conditional.

Ways and Means.

By Messrs. McCorquodale, Bank, Carnes, Agee and Lyons:

H. 65. To make supplemental appropriations to the Banking Department for the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. McCorquodale, Smith (P), Agee, Mims, Barkett and Hobbie:

H. 66. To make supplemental appropriations to the Dairy Commission for the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Mr. McCorquodale:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Stokes and Flippo:

H. 68. To authorize the Commissioner of Revenue, the State Auditor, and the State Treasurer to become a public corporation to be known as the Alabama Property Equalization Authority for the purpose of providing equalization of property taxes throughout the State of Alabama; to prescribe the powers of the Authority, including the power to sell and issue revenue bonds not exceeding 20 million dollars in principal amount for such purpose and to authorize the issuance of refunding bonds; to provide for the use of the proceeds of the bonds; to provide that all bonds issued by the Authority and income therefrom shall be exempt from all taxation in this state; to provide that such bonds shall constitute negotiable instruments, that they may be used as security for deposits and for the investment of public funds and fiduciary funds; to create a trust fund for the benefit of the bonds and to pledge certain funds to the repayment of the bonds and the interest thereon; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of this State; to authorize the filing of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting the same; to provide that all revaluation and reassessment of taxable property shall be done under the direction, supervision and control of the Department of Revenue, and to prescribe the authority and duties of said department with respect thereto; to provide for the appropriation of certain state funds; to provide for the time, manner and basis on which such payments shall be made; and to provide for the dissolution of said Authority upon the completion of its purpose.

Ways and Means.

By Mr. Stokes:

H. 69. To amend Act No. 545, S. 562, Acts of the Regular Session

1965 (Acts 1965, p. 795), which relates to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties, to provide further for the compensation of such commissions.

Local Legislation No. 3.

By Messrs. Crowe and Naramore:

H. 70. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Crowe and Naramore:

H. 71. To amend further Title 51, Section 94 of the Code of Alabama 1940, as amended providing for the term of service and compensation of members of the county boards of equalization.

Ways and Means.

By Mr. Coshatt (With Notice and Proof):

H. 72. Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissioners and creating in lieu thereof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.

Local Legislation No. 1.

Notice and Proof H. 72:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissioners and creating in lieu thereof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created and established the St. Clair County Commission, hereinafter referred to as the commission, which commission shall be the governing body of St. Clair County, and which shall have and exercise all of the powers, duties, limitations, and responsibilities, and in the same manner, and its members subject to all penal provisions of the general laws of Alabama, now in effect, or hereinafter enacted, governing county commissions and like county governing bodies, and the members thereof, but only insofar as they are consistent with the provisions of this act.

Section 2. The commission herein created shall be known as the "St. Clair County Commission," and shall take the place of the present Court of County Commissioners of St. Clair County which shall cease to exist upon the enactment of this act, and is hereby abolished, and the judge of probate shall cease to be a member and ex officio chairman of the county governing body.

Section 3. The commission herein created shall consist of a chairman, and four associate members, who shall each and severally be chosen and possess the qualifications as hereinafter set out.

Section 4. The chairman of said commission, who shall qualify and assume his duties hereunder, immediately upon this act becoming law, shall be appointed by the Governor, and he shall hold office until the first Monday after the second Tuesday in January, 1975, and he shall receive for his services, payable out of the county treasury, the sum of $15,000 dollars per year, in equal monthly installments. The chairman shall also be authorized the same mileage allowance authorized the other members of the commission with the same limitations imposed therein, however, said chairman may be reimbursed for any reasonable and necessary expenses incurred in the performance of his official duties in behalf of St. Clair County. At the general election immediately prior to the expiration date of the term of office of the chairman as hereinabove specified, and every four years thereafter, his successor shall be elected by the qualified voters of the entire county, and the term of office of the chairman so elected shall be for for four years, beginning on the first Monday after the second Tuesday in January, following his said election and until his successor has been elected and qualified. The chairman of said commission shall be a resident of good moral character and a qualified elector of St. Clair County and shall reside in said county continuously during the term of his office. The chairman of the commission herein created shall have and exercise all of the powers, duties, limitations, and responsibilities, with relation to the commission herein created as does the probate judge with relation to the courts of county commissioners, boards of revenue and other like county governing bodies, under the general laws of this State, except insofar as such powers, duties, limitations and responsibilities may be inconsistent with the provisions of this act. The chairman of the commission shall serve as purchasing agent for all purchases made by the commission.

Section 5. For the purposes of this act, and for future election of associate members of the commission, there is designated and herein created four places on the St. Clair County Commission to be numbered one to four inclusive.

Section 6. The incumbent associate members of the present Court of County Commissioners shall be automatically appointed to membership on

the County Commission herein created. Associate member Gene Bell shall serve in Place One; associate member Reuben Tucker shall serve in Place two; associate member J. B. Walters shall serve in Place Three and associate member James Ingram shall serve in Place four. Each of the associate members herein named shall hold office until the first Monday after the second Tuesday in January 1975.

Section 7. The several associate members of the commission herein created shall receive compensation for their services the sum of fifteen dollars per day, each, not to exceed twenty six days per month, while occupied in the discharge of their duties. This compensation is in lieu of any existing per diem compensation but is in addition to the mileage and expense heretofore provided for, specifically that provided for in Act 1728, H. 2522, approved September 20, 1971. It is the intent of this act to authorize the payment of any of the hereinabove compensation or expenses for any member of the commission to be payable out of any funds of the county available for such purposes and not otherwise appropriated including the gasoline tax revenues; provided that such payment is not in conflict with the general laws of this state governing the expenditures of such gasoline tax revenues.

Section 8. At the general election immediately prior to the expiration date of the term of office of each of the associate members as they are hereinabove named, and every four years thereafter, their successors shall be elected by the qualified voters of the entire county, and the term of office of each associate member so elected shall be for four years, beginning on the first Monday after the second Tuesday in January, following his said election, and until his successor has been elected and qualified.

Section 9. Each associate member of said commission shall be nominated by the qualified electors of the entire county. Associate members elected to place one and place two shall be a qualified elector and resident of the Northern Judicial Division of St. Clair County and shall reside in said division continuously during the term of his office. The associate members elected to place three and place four shall be a qualified elector and resident of the Southern Judicial Division of St. Clair County and shall reside in said division continuously during the term of his office.

Section 10. Should any vacancy occur on the commission, such vacancy shall be promptly filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 11. Each member of the commission herein created shall, before entering upon the duties of his office, execute a good and sufficient bond, in the same amount; with the same conditions, which must be approved in the same manner, and must qualify in the same manner in all respects, except insofar as the same may be inconsistent with the provisions of this act, as is provided under the general laws of the State of Alabama for the members of the courts of county commissioners, boards of revenue or other like county governing bodies.

Section 12. The commission herein created shall hold regular meetings on the second Tuesday in each month, in the courthouse at Ashville and on the fourth Tuesday of each month in the courthouse at Pell City. The commission may also meet upon the call of the chairman or upon the request of any three of its members. The clerk of the County Commission shall advise, by proper notice, all members of the commission of the time, place, and substantial purpose of any such called special meeting.

Section 13. Action in the name of and under the authority of the commission may be taken by a majority of said commission, present and voting at any regular or special meeting, provided that, at least a quorum is in attendance. A quorum shall consist of the chairman and two other members, or three members other than the chairman. The chairman may vote on all matters properly coming before the commission, and may also offer and second motions on all matters properly coming before the commission.

Section 14. The commission shall employ a clerk, who shall devote his entire time to the duties of his office, and he shall receive such compensation for his services as may be determined and fixed by the commission, and the commission may employ such other clerical help and assistants as may be deemed necessary for the proper, efficient and economical operation of the office of said commission. The clerk shall enter the minutes of all proceedings of the commission in a well bound book provided him for the purpose, which book shall be kept in the office of the commission, and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the commission shall be entered and recorded in the minute book within five days from the adjournment of every regular or special meeting. The clerk shall present to the commission at each regular meeting a list of all claims which have been filed against the county. He shall, also, keep a complete record of all receipts and disbursements of all county funds, and must be prepared at all times to show the exact financial condition of the county. The clerk of the commission shall also serve as county treasurer.

Section 15. The commission shall, pursuant to Act No. 1728, H. 2522, approved September 20, 1971, employ a county engineer and proceed to carry out the provisions of said act.

Section 16. All laws and parts of laws in conflict with act are hereby repealed.

Section 17. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 27, November 3, November 10, and November 17, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me November 17, 1971.

ANNE T. MILAM,
Notary Public.

By Messrs. Timmons and Parker (H):

H. 73. Relating to motor vehicle insurance; providing definitions; requiring security by motor vehicle owners; requiring motor vehicle no-fault reparation insurance and liability insurance up to certain limits and limiting tort liability; providing penalties for failure to show proof of security; providing personal injury protection benefits; providing for priority of payment of benefits; providing for tort exemptions and limitation on damages; providing no-fault property protection; providing for certain deductibles; providing for subrogation; providing that the department shall adopt rules and regulations necessary to implement this act; providing rights of residents; providing that insurers file proposed manual, rules, rates and rating plans with the department for approval; providing that insurers shall make certain rate reductions; providing for severability; providing an effective date.

Insurance.

By Mr. Grainger:

H. 74. To amend Section 1 of Act No. 502, S. 56, Regular Session 1967, (Acts 1967, Vol. II p. 1215), which relates to the assessment rate of all taxable property within this state.

Ways and Means.

By Mr. Grainger:

H. 75. To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state, county and municipal ad valorem taxes not to exceed four thousand dollars in assessed value for state tax purposes and one thousand dollars in assessed value for county and municipal tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to set the assessment rate of all taxable property within this state at twenty-five percent of its fair and reasonable market value; to amend Title 51, Section 2 (m), Code of Alabama 1940 so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2 (q), Code of Alabama 1940, so as to exempt all household furniture, fixtures and personal effects and to add to Section 2 as subsection (t) the following: "Inventories of goods, wares and merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars in assessed value"; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Ways and Means.

By Mr. Grainger:

H. 76. To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

Ways and Means.

By Mr. Grainger:

H. 77. To designate the department of revenue as the agency to compute the adjustment of county and municipal rates of the ad valorem tax for the purpose of stabilizing such tax at its level before equalization; to provide for collection of tax on new and escaped property and to make this Act effective on adoption of a constitutional amendment proposed by this session of the legislature providing for the adjustment of county and municipal tax rates.

Ways and Means.

By Mr. Grainger:

H. 78. To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a state-wide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax and to provide a means by which the qualified electors of the counties and the municipalities of the state may hereafter determine for themselves within certain limits the rates at which the property in such counties and municipalities shall be taxed; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to authorize a subsequent increase or decrease be submitted to a vote of the qualified electors of such county and such municipality; to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed; and to provide for the funding of equalization of property tax assessments.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Grainger:

H. 79. To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a state-wide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; and to provide a means by which the qualified electors of the counties and the municipalities of the state may hereafter determine for themselves within certain limits the rates at which the property in such counties and municipalities shall be taxed; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to authorize a subsequent increase or decrease be submitted to a vote of the qualified electors of such county and such municipality; to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Grainger and Lutz:

H. 80. To appropriate $400,000.00 from the Special Educational Trust Fund of the State of Alabama to compensate the Madison County Board of Education for the loss of buildings and other facilities and improvements built, erected, paid for, or purchased by said Board, said buildings, facilities and improvements being located on property owned by the State of Alabama, and which said buildings, facilities and improvements have been taken under the complete and total control of the State of Alabama to be used as it deems fit.

Ways and Means.

By Messrs. Roberts, Grainger and Lutz:

H. 81. To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund, so as to provide for the expenditure of funds for salaries, other expenses, equipment purchases, and for clinician and radiologist fees for tuberculosis and chronic lung disorders treatment.

Ways and Means.

By Mr. Stubbs:

H. 82. To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Ways and Means.

By Mr. Lutz:

H. 83. Proposing an amendment to the Constitution of Alabama, 1901, relative to ad valorem taxation.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Lutz:

H. 84. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valuated and taxes thereon assessed.

Ways and Means.

By Mr. Lutz:

H. 85. To provide for the manner and method for the statewide equalization of ad valorem tax assessments and to provide for the enforcement thereof.

Ways and Means.

By Messrs. Hobbie, Stubbs, Taylor, Straiton, Barkett, Jones (F), McCorquodale, Headley, Culver, Timmons, Adwell Waldrop and Jackson:

H. 86. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Ways and Means.

By Messrs. Hobbie, Jones (F), Burgess, Harris, Taylor, Timmons, Jones (E), Dill, Wallace, Boles, Crowe, Cherner, Naramore, McBride, Culver, Adwell, Easters, Mims, Warren, Lang, Stubbs, Barkett, McCorquodale, Bassett, Waldrop, Jackson, and Headley:

H. 87. To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

Ways and Means.

By Messrs. Hobbie, Jones (F), Taylor and Straiton:

H. 88. Relating to counties having a population of not less than 150,000 nor more than 180,000; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue such tags for use on unmarked law enforcement vehicles without charge.

Local Legislation No. 4.

By Messrs. Jones (F), Hobbie, Taylor and Straiton:

H. 89. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that all county and municipal employees in such counties shall observe and be given the same holidays as state employees.

Local Legislation No. 4.

By Messrs. Jones (F) and Therrell:

H. 90. To make a supplemental appropriation to the Bureau of Credit Unions of the Department of Banking for the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. Jones (F), Taylor, Hobbie, Harris and Straiton:

H. 91. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary-reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the Personnel Board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Ways and Means.

By Messrs. Jones (F) and Straiton:

H. 92. To provide that any employee of a retail store operated by the

Alcoholic Beverage Control Board shall be compensated only by over-time pay for any work performed in excess of 40 hours per week.

Ways and Means.

By Messrs. Jones (F), Straiton and Hobbie:

H. 93. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office, and compensation of the additional two members.

Ways and Means.

By Messrs. Cherner, Gafford, Burgess, Erdreich, Turner, Doss, Stewart, Falkenburg, Crowe, Bank, McBride, Smith (K), Lutz, Jones (E), Wallace, Gloor, Dill, Timmons, Parker (H), Bowers, Adwell, Meeks, Weeks, Ellis, Boles, Smith (P), McCluskey, Wynot, Carnes, Perloff, Therrell, Cauthen, Slate, Parker (T), Drake, Flippo, Stubbs, Robertson, Kinsey, Jones (F), Hardin, Bassett, May, Benton, Chesnut, Hobbie, Harris, Headley, Reid (R), McDonald, Cottingham, Fite, Taylor, Carter, O'Daniel, Waggoner, Naramore, Edwards, Goodwin, Stokes, Downing, Callahan, Mims, Collins, St. John, Culver, Boutwell, Merrill, Grainger, Mathews, Reynolds and Owens:

H. 94. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Constitution and Elections.

By Messrs. Cherner and Stokes:

H. 95. To authorize the governing body of each county and each municipal corporation to grant a homestead exemption from property taxation, not exceeding $2,000.

Ways and Means.

By Messrs. Cherner and Stokes:

H. 96. To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

Ways and Means.

By Messrs. Cherner and Stokes:

H. 97. To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a state-wide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; to set a rate of taxation in each county and each municipality which will produce for each such county and each such

municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to provide that the total of all levies of ad valorem tax shall not exceed one and 5 tenths percent of the market value of the property taxed.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Carnes, Wynot and Waldrop

H. 98. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Criminal Cases in such Courts after the expiration of Ten years from the date of final Judgments, but no authority is given herein to destroy the Consolidated Docket and Fee Book Sheets, Final Record Books or the Indices in such Cases.

Local Legislation No. 1.

By Messrs. Carnes, Waldrop, Carter and Chesnut:

H. 99. To make a conditional appropriation of $ from the Alabama Special Educational Trust Fund to the state board of education; to provide for the manner of distribution of the funds appropriated; to require that the said funds be expended for certain purposes; to provide that boards of education or school systems receiving funds pursuant to this act be required to pay to the said state board an amount of money equal to the amount received hereunder, or a lesser amount, under certain circumstances; to require the filing of a certain statement by said boards or systems with the said state board; to provide for the disposition of funds paid by public school systems or boards to the said state board according to the provisions hereof.

Ways and Means.

By Messrs. Gloor, McBride, Erdreich, Falkenburg, Weeks, Adwell, Gafford, Boles, Parker (H), Waggoner, Wallace and Timmons:

H. 100. To amend Title 51, Section 15, Code of Alabama 1940 so as to provide a homestead exemption from state, county and municipal ad valorem taxes not to exceed $5,000 in assessed value for state ad valorem tax purposes and to authorize the governing body of each county and each municipal corporation to grant a homestead exemption not to exceed $3,000 in assessed value for county ad valorem tax purposes, and not to exceed $2,000 in assessed value for municipal ad valorem tax purposes nor 180 acres in area.

Ways and Means.

By Messrs. Gloor, Cherner, Waggoner, Falkenburg, Adwell, Erdreich, McBride, Parker (H), Wallace, Timmons and Gafford:

H. 101. To regulate the rate of assessing property for taxation and to repeal conflicting laws.

Ways and Means.

By Mr. Merrill:

H. 102. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur in the Court's decision; and to appropriate monies to carry out the provisions hereof.

Ways and Means.

By Messrs. Dill, Wallace, Adwell, Waggoner, Flippo, Reed (T), Gafford, Bank, Robertson, Parker (T), Erdreich, Falkenburg, Grainger, Cherner, Smith (P), and Doss:

H. 103. To make appropriations from the Alabama special educational trust fund in the state treasury for the use and benefit of The State Training School for Girls.

Ways and Means.

By Mr. Headley:

H. 104. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Local Legislation No. 1.

By Messrs. Cauthen and Flippo:

H. 105. To regulate the rate of assessing property for taxation and to repeal conflicting laws.

Ways and Means.

By Messrs. Cauthen and Flippo:

H. 106. To authorize the governing body of each county and each municipal corporation to grant a homestead exemption from property taxation, not exceeding $2,000.

Ways and Means.

By Mr. McCluskey:

H. 107. To exempt authorities now or hereafter organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940, as amended.

Commerce and Transportation.

By Messrs. Bassett and Hardin:

H. 108. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

Commerce and Transportation.

By Messrs. Bassett, Easters and Hardin:

H. 109. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Bassett, Easters and Hardin:

H. 110. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Local Legislation No. 1.

By Messrs. Crowe and Naramore:

H. 111. To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bond; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection," so as to change the membership of the coliseum authority created by this Act.

Local Legislation No. 1.

By Mr. Reed (T):

H. 112. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Cherner:

H. 113. To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state, county and municipal ad valorem taxes not to exceed five thousand dollars in assessed value for state tax purposes and two thousand dollars in assessed value for county and municipal tax purposes nor one hundred eightly acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to set the assessment rate of all taxable property within this state at thirty percent of its fair and reasonable market value; to amend Title 51, Section 2 (m), Code of Alabama 1940 so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2 (q), Code of Alabama 1940, so as to exampt all household furniture, fixtures and personal effects and to add to Section 2 as subsection (t) the following: "Inventories of goods, wares and

merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars in assessed value"; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Ways and Means.

By Messrs. Slate and Cauthen:

H. 114. To apply only to counties having a population of not less than 75,000, nor more than 90,000; fixing the salary of Deputy Sheriffs in such counties.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hobbie, Taylor, Straiton and Harris:

H. J. R. 10. MOURNING THE DEATH OF FRED ALLEN

WHEREAS Fred Allen, a Montgomery businessman, died recently; and

WHEREAS Fred Allen served in the United States Marine Corps in the Pacific during World War II; and

WHEREAS Fred Allen was active in the civil affairs of his community and was a member of various organizations including the Oak Park Masonic Lodge #864; Scottish Rites; the Alcazar Temple and the Nomads Unit of the Alcazar Temple; and

WHEREAS Fred Allen was a successful businessman who was the owner and president of Allen's Appliance and Refrigerator Company in Montgomery; and

WHEREAS Fred Allen is deeply mourned by his family and many friends; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature mourns the death of Fred Allen and extends its heartfelt sympathy to his wife Sara; his son, Charles and his daughter, Carol.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the family of Fred Allen.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 10, on the Clerk's desk for one legislative day.

Also:

By Messrs. Hobbie, Taylor, Straiton and Harris:

H. J. R. 11. MOURNING THE DEATH OF GORDON L. EVATT

WHEREAS Gordon L. Evatt died recently; and

WHEREAS Gordon L. Evatt served diligently twenty-two years as a court reporter for the Ninth Judicial Circuit of Alabama; and

WHEREAS Gordon L. Evatt was active in the civil affairs of his community and his home state of Alabama serving as a member of various organizations including the Scottish Rite, York Rite, KCCH, Red Cross of Constantine, Order of the Eastern Star, Chapter 414, Royal Order of Scotland, KYCH Mason, Holy Royal Arch Order of Knights Templar Priests, Order of Silver Trial, Council Annointed High Priests, Amaranth, White Shrine of Jerusalem, Alabama Historical Society, Fort Payne Masonic Lodge #437, and the Alcazar Shrine Temple; and

WHEREAS Gordon L. Evatt was Past Grand Master of Masonic Orders of Alabama, 1960–61, Past Master of Fort Payne Masonic Lodge #437 and had served as Grand Secretary of Grand Lodge of Alabama, Free and Accepted Masons since 1961 until his death; and

WHEREAS Gordon L. Evatt was active in the religious affairs of his community serving as a Deacon in the Baptish Church; and

WHEREAS Gordon L. Evatt is mourned by his family and many friends; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature mourns the death of Gordon L. Evatt and extends its heartfelt sympathy to his widow, Imogene.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to his widow.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 11, on the Clerk's desk for one legislative day.

Also:

By Messrs. Hobbie, Taylor, Straiton and Harris:

H. J. R. 12. MOURNING THE DEATH OF HILLIARD ARONOV

WHEREAS Hilliard Aronov, a prominent Montgomery businessman, died recently; and

WHEREAS Hilliard Aronov was a native of Montgomery, graduated from Sidney Lanier High School and attended the University of Alabama; and

WHEREAS Hilliard Aronov was a successful businessman who was president and a member of the board of directors of Fabrics, Incorporated, and an officer of numerous corporations with other members of his family; and

WHEREAS Hilliard Aronov was active in the civil affairs of his community and was active in the Masons, Shriners, United Appeal and the Jewish Federation of Montgomery; and

WHEREAS Hilliard Aronov was a compassionate and religious man who served two terms as president of Agudath Israel Synagogue; and

WHEREAS Hilliard Aronov gave his high esteem in service to his home state of Alabama by sering as a member of the Alabama Mental Health Board; and

WHEREAS Hilliard Aronov is deeply mourned by his family and friends; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature mourns the death of Hilliard Aronov and extends its heartfelt sympathy to his wife, Hazel L. Aronov; his son, Steven; his daughter, Mrs. Joy Blondheim and his mother, Mr. Jake Aronov.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the family of Hilliard Aronov.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 12, on the Clerk's desk for one legislative day.

Also:

By Messrs. Hobbie, Taylor, Straiton and Harris:

H. J. R. 13. MOURNING THE DEATH OF JOHN BODDIE

WHEREAS John Boddie recently passed away; and

WHEREAS John Boddie served his country diligently during World War II and the Korean Conflict; and

WHEREAS John Boddie was a devoted public servant and had served as a member of the State Military Department since 1949; and

WHEREAS John Boddie was active in the civil affairs of his community and was a member of various organizations including the Coosa Masonic Lodge #242, the Alcazar Clown Unit, was a Master of his Blue Lodge, Scottish Rite Masons and the Alcazar Shrine; and

WHEREAS John Boddie was instrumental in organizing the Elmore County Shrine Club; and

WHEREAS John Boddie is greatly mourned by his family and many friends; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature mourns the death of John Boddie and extends its heartfelt sympathy to his wife, Louise; his son, Jerry and his daughter, Shirley.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the family of John Boddie.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 13, on the Clerk's desk for one legislative day.

Also:

By Messrs. Lutz, Grainger and Hearn:

H. J. R. 14. Congratulating Albert McDonald of Madison County upon being named as the Nation's "Cotton Farmer of the Year."

WHEREAS, Albert McDonald of Madison County has been selected as "Cotton Farmer of the Year" by *Cotton Farming Magazine;* and

WHEREAS, Albert McDonald is an outstanding example of modern farmers who are contributing greatly to the economy of our state, and of Madison County, which county is the largest cotton producing county in the state because of Albert McDonald and other progressive farmers like him; and

WHEREAS, Albert McDonald has served in positions of leadership in many agricultural organizations as well as other types of organizations in Madison County and is highly esteemed in his community.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does congratulate and commend Albert McDonald on his being named as "Cotton Farmer of the Year" and does wish him continued success in his endeavors.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. McDonald.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 14, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 15. MOURNING THE DEATH OF B. HEFLIN HAYNES

WHEREAS B. Heflin Haynes, age 61 and a well known Sylacauga community and civic leader died on November 10, 1971; and

WHEREAS he is greatly mourned by his many friends in Talladega County; and

WHEREAS he was a native of Clay County, but was reared in Sylacauga, graduated from B. B. Comer Memorial School and later, attended Birmingham Southern College; and

WHEREAS his long affiliation with Avondale Mills dates from 1928, when he was first employed by the company; and

WHEREAS he advanced steadily through the company ranks to the positions of company vice president and company personnel manager; and

WHEREAS in addition to his numerous civil and service affiliations, he served as Chairman of the Board of B. B. Comer Memorial Library, a member of the Board of Directors of the Southern Industrial Relations Conference and a member of the Board of Directors of two banking institutions; City National Bank of Sylacauga and the St. Clair Federal Savings and Loan Association; and

WHEREAS he served his home State of Alabama and his company faithfully and diligently; and

WHEREAS the Legislature of Alabama wishes to honor his memory; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of this distinguished citizen and do pass this resolution as a memorial to the exemplary life of this outstanding man.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 15, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 16. MOURNING THE DEATH OF WILLIAM D. WHETSTONE

WHEREAS William D. Whetstone, age 54, a prominent Sylacauga businessman recently passed away; and

WHEREAS William D. Whetstone graduated from Sylacauga High School; earned a degree from Birmingham Southern and attended graduate school at the University of Virginia; and

WHEREAS William D. Whetstone served his country as a naval officer for five years, being assigned to submarine duty; and

WHEREAS William D. Whetstone was very active in the business affairs of his community; was the first member in Sylacauga of the Birmingham Real Estate Board; was a member of the National Association of Real Estate Boards and was a recognized appraiser; and

WHEREAS William D. Whetstone was the promoter of the majority of housing developments in Sylacauga prompting a statement from one of his fellow townsmen that, "many of us would have no homes today, no place to lay our heads had it not been for Bill Whetstone;" and

WHEREAS William D. Whetstone was truly a community builder; serving as a member of the Rotary Club; past president of the Sylacauga Chamber of Commerce; drive chairman, South Talladega County Chapter American Red Cross; drive chairman UGF, and a member of the Sylacauga Industrial Development Board; and

WHEREAS William D. Whetstone had vision, imagination and know-how and blazed the way for growth in Sylacauga; and

WHEREAS William D. Whetstone built with the sweat of his brow and his love for his town and its people; and

WHEREAS William D. Whetstone is greatly mourned by his wife and children; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of this outstanding man and do pass this resolution as a memorial to his exemplary life, his benevolence and service to his fellowman.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to his wife, Mrs. William D. Whetstone, his son, Bill and his three daughters, Ginny, Anne and Jane.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 16, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J.R. 17. MOURNING THE DEATH OF JOHN L. OGLETREE, JR.

WHEREAS John L. Ogletree, Jr., age 52 and a prominent Sylacauga businessman recently passed away following a long illness; and

WHEREAS John L. Ogletree, Jr., graduated from Sylacauga High School and served his country in World War II; and

WHEREAS John L. Ogletree, Jr. was very active in the business affairs of his community; serving as vice-chairman of the board of Peoples Bank and Trust Company and as a former director of the Automobile Dealers Association of Alabama; and

WHEREAS John L. Ogletree, Jr. was truly a community builder; serving as a former director of the Sylacauga Chamber of Commerce and the Sylacauga Boys Club; and

WHEREAS John L. Ogletree, Jr. was a man of vision; worked long and hard to overcome many obstacles to give Sylacauga Ogletree Plaza, a shopping center which is truly the contribution of a community builder; and

WHEREAS John L. Ogletree, Jr. made his mark which speaks now and will speak to future generations of his love and concern for his hometown; and

WHEREAS John L. Ogletree, Jr. is greatly mourned by his wife and children; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of this outstanding man and do pass this resolution as a memorial to his exemplary life, his benevolence and service to his fellowman.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to his mother, Mrs. John L. Ogletree, Sr., his wife, Mrs. John L. Ogletree, Jr., his son, John III and his daughter, Josephine Ogletree.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 17, on the Clerk's desk for one legislative day.

Also:

By Mr. Headley:

H. J. R. 18. Honoring Minter Carney "Jack" Hayes, a great American, and outstanding Alabamian and Major League Baseball Player.

Whereas, Minter Carney "Jack" Hayes was born July 19, 1906 in Clanton, Alabama, and

Whereas, Minter Carney "Jack" Hayes did attend the University of Alabama where his talents as a baseball player were recognized, and

Whereas, Minter Carney "Jack" Hayes did have an illustrious fourteen years as a Major League Ball Player—five years with the Washington Senators and nine years with the Chicago White Sox, and

Whereas, Minter Carney "Jack" Hayes was chosen on Babe Ruth's American League all rookie team in 1927, and

Whereas, Minter Carney "Jack" Hayes was honored by the Chicago White Sox fans in Chicago with "Jack" Hayes Night in 1949, and

Whereas, Minter Carney "Jack" Hayes was recognized by his manager, coaches and sports writer as the finest double play pivotman in baseball, and

Whereas, Minter Carney "Jack" Hayes did continue as an outstanding major league ball player until loss of sight in his right eye in 1940, and

Whereas, Minter Carney "Jack" Hayes did after retirement from the Major Leagues return to Clanton, Alabama where he was elected to two six year terms as Tax Collector, and

Whereas, Minter Carney "Jack" Hayes totally blind since 1943 lives a comfortably, active life in Clanton, Alabama

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we honor Mr. Minter Carney "Jack" Hayes for his contribution to the sporting world and to his fellowman and be it further resolved, that copies of this resolution be sent to the Birmingham News, Central Alabama Independent Advertiser, Clanton, Alabama and to Robert L. Veich, Executive Director Alabama Sports Hall of Fame, P. O. Box 414, Fairfield, Alabama 55064, with the recommendation of the Legislature that he be considered for the Alabama Sports Hall of Fame.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 18, on the Clerk's desk for one legislative day.

Also:

By Mr. Bank:

H. J. R. 19. WHEREAS, on November 18, 1971, S. J. R. 17 was adopted by the Legislature of Alabama permitting the Health Study Commission, created under the provisions of S. J. R. 70, Act No. 2226, Regular Session 1971, and

WHEREAS, the Legislature was to provide two stenographers to be selected by the Commission and whose pay would have been reduced; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature shall provide two stenographers to be selected by the Commission, whose compensation shall not exceed the salaries paid for committee clerks in the House and Senate. Funds to carry out the provisions of this resolution shall be expended from funds appropriated for the use of the Legislature.

The motion of Mr. Bank to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 19, was adopted.

Yeas 38; Nays 2.

Yeas:

Mr. Speaker	Agee	Bassett	Brassell
Adams	Bank	Boutwell	Carnes

Carter	Fite	Mathews	Reynolds	
Cauthen	Flippo	Merrill	Robertson	
Chesnut	Goodwin	Naramore	Slate	
Coshatt	Grainger	O'Daniel	Straiton	
Culver	Gray (F)	Parker (T)	Taylor	
Drake	Headley	Reed (T)	Timmons	
Ellis	Hobbie	Reid (R)	Wallace	
Erdreich	Lang			—38

Nays: Messrs. Lutz and Smith (K). —2

RESOLUTION ADOPTED

On motion of Mr. Bank, the resolution, H. J. R. 19, was adopted.

Also:

By Mr. Reed (T):

H. J. R. 20. TO CREATE A JOINT LEGISLATIVE COMMITTEE TO STUDY AND INVESTIGATE THE ALABAMA PRISON SYSTEM

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That

1. There is hereby created and established a joint legislative study committee composed of five members of the Senate, appointed by the President of the Senate, and five members of the House of Representatives appointed by the Speaker of the House, to study and investigate the Alabama prison system. Insofar as possible appointments to such committee shall be made from persons volunteering for service on such committee. The members of the committee shall meet within thirty days after their appointment at a place agreed upon, and shall elect a chairman and vice-chairman from among their number.

2. In conducting its study and investigation the committee shall especially study housing, feeding, clothing, health and disciplinary practices and procedures, and deviations from normal ways of life of prisoners. The committee may also study any other phase of the prison problems which the committee may deem to be pertinent.

3. The committee shall make a final report including its findings, conclusions and recommendations to the next session of the Legislature and unless the Legislature is called back into Special Session before the committee has completed its study and investigation and prepared its report, in which event, it shall report to the next regular session of the Legislature. Upon filing its report the committee shall be dissolved.

4. The members of the committee shall receive no compensation for their services, but shall be entitled to receive their regular legislative per diem and allowances for each meeting of the committee actually attended, or when otherwise actually engaged in the business of the committee. Such per diem pay and allowances together with all expenses incurred shall be paid out of any funds appropriated to the use of the legislature upon requisition of the committee chairman, but in no case shall such expenditures exceed the total sum of twenty-five hundred dollars ($2,500.00).

The motion of Mr. Reed (T) to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 20, was lost, lacking a four-fifths vote.

Yeas 32; Nays 10.

Yeas:

Messrs.:	Doss	Grey (D)	Robertson	
Benton	Ellis	Hobbie	Smith (P)	
Carnes	Erdreich	McBride	Stewart	
Carter	Falkenburg	May	Stokes	
Cauthen	Fite	Parker (T)	Timmons	
Cherner	Flippo	Reed (T)	Waldrop	
Cottingham	Gafford	Reid (R)	Wallace	
Culver	Gray (F)	Reynolds	Wynot	
Dill				—32

Nays:

Mr. Speaker	Cross	Meeks	Owens	
Barkett	Grainger	Merrill	Wise	
Bassett	Lutz			—10

REFERRED TO RULES

And the resolution, H. J. R. 20, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gloor:

H. J. R. 21. CONGRATULATING REPRESENTATIVE BENNETT LEE (BEN) CHERNER UPON THE RECENT BIRTH OF HIS DAUGHTER

WHEREAS the wife of Rep. Bennett Lee (Ben) Cherner, Barbara, recently presented him with a baby girl, born November 29, 1971 at 9:04 p.m., which baby weighs 7 pounds, 1 ounce and shall be named Rebecca Michelle; and

WHEREAS this is Rep. Cherner's most recent noble achievement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature would like to take the opportunity to congratulate our esteemed colleague Ben Cherner upon the birth of his daughter.

BE IT FURTHER RESOLVED, That we wish this young lady a long and prosperous life, and a future which will reflect credit upon her fine parents.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Barbara Cherner.

On motion of Mr. Timmons, the rules were suspended and the resolution, H. J. R. 21, was adopted.

CO-SPONSORS ADDED

Unanimous consent was granted all members of the House to have their names added as co-sponsors to the resolution, H. J. R. 21.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of two members of the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a Joint Session of the Legislature and if he does so desire, to further ascertain the time most suitable to him for such address.

And the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Cooper and Bailes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 1, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Joint Session of the Legislature be held at 12:30 o'clock this afternoon for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED That a Committee of two members from the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in Joint Session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the Hall of the House of Representatives for the Joint Session.

And the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Clark and Pelham.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 2, set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN

Mr. Drake moved that the House adjourn until 3:00 o'clock p. m., Wednesday, December 1, 1971.

The substitute motion of Mr. Gloor that the House adjourn until 12:00 noon, Thursday, December 2, 1971, was adopted.

Yeas 40; Nays 38.

Yeas:

Messrs.:	Ellis	Jones (E)	St. John
Adwell	Erdreich	McBride	Smith (K)
Boles	Falkenburg	McCluskey	Stewart
Boutwell	Flippo	McDonald	Stokes
Bowers	Gafford	Manley	Straiton
Cauthen	Gloor	Meeks	Taylor
Cherner	Goodwin	Parker (H)	Timmons
Coshatt	Gray (F)	Parker (T)	Waggoner
Dill	Grey (D)	Reid (R)	Wallace
Doss	Hill	Reynolds	Weeks
Downing			—40

Nays:

Mr. Speaker	Collins	Hardin	Naramore
Adams	Connell	Jackson	O'Daniel
Agee	Cottingham	Jones (F)	Owens
Bank	Crowe	Kinsey	Pruitt
Barkett	Culver	Lutz	Robertson
Burgess	Drake	McCorquodale	Smith (P)
Callahan	Easters	Mathews	Turner
Carnes	Edwards	Merrill	Warren
Carter	Fite	Mims	Wise
Chesnut	Grainger		—38

MOTION TO ADJOURN LOST

The question, then, was on the motion as substituted that the House adjourn until 12:00 noon, Thursday, December 2, 1971, and the motion was lost.

Yeas 37; Nays 44.

Yeas:

Messrs.:	Cherner	Falkenburg	Lutz
Adwell	Coshatt	Flippo	McBride
Boles	Dill	Gafford	McDonald
Boutwell	Doss	Gloor	Manley
Bowers	Downing	Goodwin	Meeks
Brassell	Ellis	Gray (F)	Parker (H)
Cauthen	Erdreich	Jones (E)	Parker (T)

Reid (R)	Stokes	Waggoner	Wallace
Smith (K)	Straiton	Waldrop	Weeks
Stewart	Timmons		

—37

Nays:

Mr. Speaker	Connell	Hobbie	O'Daniel
Adams	Cottingham	Jackson	Owens
Agee	Cross	Jones (F)	Pruitt
Bank	Crowe	Kinsey	Reed (T)
Barkett	Culver	Lang	Robertson
Burgess	Drake	McCorquodale	Smith (P)
Callahan	Easters	Mathews	Stubbs
Carnes	Edwards	May	Turner
Carter	Fite	Merrill	Warren
Chesnut	Grainger	Mims	Wise
Collins	Hardin	Naramore	Wynot

—44

ADJOURNMENT

Mr. Drake moved that the House adjourn until 4:00 o'clock p. m., Wednesday, December 1, 1971.

The substitute motion offered by Mr. Gloor that the House adjourn until 11:00 o'clock a. m., Thursday, December 2, 1971, was lost.

Yeas 39; Nays 45.

Yeas:

Messrs.:	Dill	Grey (D)	Reid (R)
Adwell	Doss	Jones (E)	Reynolds
Benton	Downing	Lutz	Smith (K)
Boles	Ellis	McBride	Stewart
Boutwell	Erdreich	McCluskey	Stokes
Bowers	Falkenburg	McDonald	Straiton
Brassell	Flippo	Manley	Timmons
Cauthen	Gafford	Meeks	Waggoner
Cherner	Gloor	Parker (H)	Wallace
Coshatt	Goodwin	Parker (T)	Weeks

—39

Nays:

Mr. Speaker	Cottingham	Hobbie	O'Daniel
Adams	Cross	Jackson	Owens
Agee	Crowe	Jones (F)	Pruitt
Bank	Culver	Kinsey	Robertson
Barkett	Drake	Lang	Slate
Burgess	Easters	McCorquodale	Smith (P)
Callahan	Edwards	Mathews	Stubbs
Carnes	Fite	May	Turner
Carter	Grainger	Merrill	Warren
Chesnut	Hardin	Mims	Wise
Collins	Headley	Naramore	Wynot
Connell			

—45

The question, then, was on the motion of Mr. Drake that the House adjourn until 4:00 o'clock p. m., Wednesday, December 1, 1971, and the motion was adopted.

Yeas 60; Nays 45.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Owens
Adams	Cottingham	Jackson	Pruitt
Agee	Cross	Jones (F)	Reed (T)
Bank	Crowe	Kinsey	Reid (R)
Barkett	Culver	Lang	Reynolds
Benton	Downing	Lutz	Robertson
Brassell	Drake	McCluskey	Smith (P)
Burgess	Easters	McCorquodale	Stewart
Callahan	Edwards	Manley	Straiton
Carnes	Fite	Mathews	Stubbs
Carter	Flippo	May	Taylor
Cauthen	Goodwin	Merrill	Turner
Chesnut	Grainger	Mims	Warren
Collins	Hardin	Naramore	Wise
Connell	Headley	O'Daniel	Wynot

—60

Nays:

Messrs.:	Doss	McBride	Stokes
Adwell	Ellis	McDonald	Timmons
Boles	Erdreich	Meeks	Waggoner
Boutwell	Falkenburg	Parker (H)	Waldrop
Bowers	Gafford	Slate	Wallace
Cherner	Gloor	Smith (K)	Weeks
Dill	Jones (E)		

—45

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, December 1, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Athal F. Beasley, Associate Pastor, Normandale United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Boles	Cauthen	Crowe
Adams	Boutwell	Cherner	Culver
Adwell	Bowers	Chesnut	Dill
Agee	Brassell	Collins	Doss
Baker	Burgess	Connell	Downing
Bank	Callahan	Coshatt	Drake
Barkett	Carnes	Cottingham	Easters
Bassett	Carter	Crawford	Edwards
Benton	Casey	Cross	Ellis

Erdreich	Jones (F)	O'Daniel	Stokes
Falkenburg	King	Owens	Straiton
Fite	Kinsey	Parker (H)	Stubbs
Flippo	Lang	Parker (T)	Taylor
Gafford	Lutz	Perloff	Therrell
Gloor	McBride	Pruitt	Timmons
Goodwin	McCluskey	Reed (T)	Turner
Grainger	McCorquodale	Reid (R)	Turnham
Gray (F)	McDonald	Reynolds	Waggoner
Grey (D)	Manley	Roberts	Waldrop
Hardin	Mathews	Robertson	Wallace
Harris	May	St. John	Warren
Headley	Meeks	Slate	Weeks
Hearn	Merrill	Smith (K)	Williams
Hill	Mims	Smith (P)	Wise
Hobbie	Naramore	Snell	Wood
Jackson	Nettles	Stewart	Wynot
Jones (E)			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mrs. Wynot, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 56. (With Amendments): Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

The above bill was read a second time at length as required by the Constitution.

H. 57. (With Amendments): To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state and county ad valorem taxes not to exceed two thousand dollars ($2,000) in assessed value for state tax purposes and one thousand dollars ($1,000) in assessed value for county tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to establish a clas-

sification system of property taxation and fix assessment rates for each class of property; to amend Title 51, Section 2(m), Code of Alabama 1940, so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2(q), Code of Alabama 1940, so as to exempt all household furniture, fixtures and personal effects and to add to Section 2 as Subsection (t) the following: "Inventories of goods, wares and merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars ($10,000) in assessed value"; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 61. (With Amendment): To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a statewide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed.

The above bill was read a second time at length as required by the Constitution.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 60. To designate the department of revenue as the agency to compute the adjustment of county and municipal rates of the ad valorem tax for the purpose of stabilizing such tax at its level before equalization; to provide for collection of tax on new and escaped property and to make this Act effective on adoption of a constitutional amendment proposed by this session of the legislature providing for the adjustment of county and municipal tax rates.

H. 59. To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

H. 6. To amend Section 18 of Act No. 2052, S. 122, 1971 Regular Session approved October 1, 1971, entitled, "An Act To provide maximum

finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act."

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 82. (With Amendment): To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

The above bill was read a second time at length as required by the Constitution.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 41. (With Amendment): To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama Court of Civil Appeals to the Supreme Court of Alabama.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 42. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur in the Court's decision; and to appropriate monies to carry out the provisions hereof.

H. 90. To make a supplemental appropriation to the Bureau of Credit Unions of the Department of Banking for the fiscal years ending September 30, 1972 and September 30, 1973.

H. 4. To make additional appropriations to the Divisions of Game and Fish, Water Safety, Administrative and State Parks of the Department of Conservation and Natural Resources.

H. 5. To make appropriations from the Water Safety Fund in the State Treasury for Division of Water Safety capital improvements.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 103. (With Amendment): To make appropriations from the Alabama special educational trust fund in the state treasury for the use and benefit of The State Training School for Girls.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 81. To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund, so as to provide for the expenditure of funds for salaries, other expenses, equipment purchases, and for clinician and radiologist fees for tuberculosis and chronic lung disorders treatment.

H. 63. To make a supplemental appropriation to the Legislative Reference Service for the fiscal years ending September 30,1972, and September 30, 1973.

H. 66. To make supplemental appropriations to the Dairy Commission for the fiscal years ending September 30, 1972 and September 30, 1973.

H. 86. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

H. 16. To amend Section 5 of Act #2307 of 1971 Regular Session Relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

H. 91. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary-reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the Personnel Board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 87. (With Amendment): To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 107. To exempt authorities now or hereafter organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940, as amended.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Second Judicial Circuit of Alabama.

H. 10. To regulate further the excusing of persons from jury service in the Second Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

H. 11. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

H. 12. Relating to the method of giving notice of the requirement of attendance of Jury service in the Second Judicial Circuit of Alabama.

H. 20. To apply only to counties having a population of not less than 49,000, nor more than 52,000; to fix the salary and allowances of the coroner in such counties; to provide for salary and allowances when said coroner is called upon to serve as sheriff, and to provide for a referendum.

H. 21. To fix the compensation of the sheriffs of all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

H. 47. To amend the title and Section 1 of Act No. 148. H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

H. 48. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

H. 55. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the follow-

ing bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 72. (With Amendment): Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissioners and creating in lieu thereof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 109. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

H. 110. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

H. 114. To apply only to counties having a population of not less than 75,000, nor more than 90,000; fixing the salary of Deputy Sheriffs in such counties.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 22. To amend Section 1 of Act #206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

H. 23. To apply in all counties of this State having a population of 500,000 or more, according to the last or any succeeding federal census; to provide that any judge or judges who are members of any county retirement system and who may become supernumerary judge or judges pursuant to law, shall, upon becoming supernumerary, be considered as retired fully and shall be entitled to the earned benefits as provided for retired members of any county retirement system to which they belong, and to provide that all contributions into such county retirement system by such member shall be refundable in accordance with the provisions of any such county retirement system.

H. 24. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a

lien upon the property where such nuisance exists for the cost of abating the same.

H. 26. To amend further Section 4 of Act No. 545, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

H. 52. To authorize any city having a population of 300,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the city suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, the county in which any such city is located, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such city may be joint lessee with such county or with any other municipality in such county and that the obligations of any such city may be individual and separate or joint and several, to provide that the obligations of any such city under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such city under any such lease or contract in the budget of such city and that any such city shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, and to exempt any such contract or lease from all taxation and all other provisions of law with respect thereto.

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 88. Relating to counties having a population of not less than 150,000 nor more than 180,000; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue such tags for use on unmarked law enforcement vehicles without charge.

H. 89. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that all county and municipal employees in such counties shall observe and be given the same holidays as state employees.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 70. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

H. 111. To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bond; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection," so as to change the membership of the coliseum authority created by this Act.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Notifying the Governor that the Legislature is in Session.

Also:

H. J. R. 3. Relative to a Joint Session to hear the message of the Honorable George C. Wallace, Governor of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 19. Relative to the two stenographers to be appointed to the Health Study Commission, created under the provisions of S. J. R. 70, Regular Session 1971.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

On motion of Mr. Lutz, leave of absence was granted for Mr. Hale, due to personal business.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Lyons, McCorquodale and Hobbie:

H. 115. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Ways and Means.

By Messrs. Mathews, Stubbs, Lyons and McCorquodale:

H. 116. To make additional appropriations to the Department of Public Safety.

Ways and Means.

By Messrs. McCorquodale and Lyons:

H. 117. To make additional appropriation to the Banking Department —Bureau of Loans.

Ways and Means.

By Messrs. Lyons and McCorquodale:

H. 118. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

Ways and Means.

By Messrs. Smith (P) and Lyons:

H. 119. To amend Section 5 of Act No. 1957, H. 1851, Legislature of 1971, Regular Session, approved September 20, 1971, an Act to provide for the regulation of the custom application of pesticides by aircraft and ground equipment, etc., said Section 5 thereof relating to the bond or liability insurance required by persons engaged in the custom application of pesticides.

Agriculture.

By Messrs. Carnes and Wynot:

H. 120. To amend Section 2 of Act No. 821 of the 1971 Regular Session of the Legislature of Alabama; to provide that the provisions of this amendatory Act shall be retroactive to September 7, 1971.

Local Legislation No. 1.

By Messrs. Smith (P) and McCluskey:

H. 121. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax in Talladega County for the purpose of enabling such county and the municipalities therein to establish and maintain system or systems for the collection and disposal of garbage, trash and other solid wastes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Brassell:

H. 122. To authorize the county commission of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the judicial circuit within such county.

Local Legislation No. 1.

By Mr. Brassell:

H. 123. To authorize the district attorney having jurisdiction in any county in the State of Alabama with a population of not less than 42,000 nor more than 49,500 to appoint an investigator or investigators and to prescribe their duties.

Local Legislation No. 1.

By Messrs. Therrell, Collins, Callahan, Stokes, Nettles, Perloff and Lyons:

H. 124. To amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

Local Legislation No. 3.

By Messrs. Grainger, Lutz, King and Hearn:

H. 125. To make an appropriation for the operation and maintenance of the University of Alabama in Huntsville.

Ways and Means.

By Messrs. Stokes, Downing, Therrell and Nettles:

H. 126. To make a supplemental appropriation from the Alabama special educational trust fund in the state treasury for the Board of Trustees of the University of South Alabama.

Ways and Means.

By Messrs. Collins, Stokes, Nettles, Lyons, Therrell, Timmons, Wallace and Jones (E):

H. 127. To make an appropriation from the state treasury for the relief of Harry V. Schmidt.

Ways and Means.

By Messrs. Ellis, Turnham, Boutwell, Jones (E), Parker (H), Cherner, Wallace, Timmons, Waggoner, Hobbie, Taylor, Jones (F), Harris, McCorquodale, Bank, Smith (P), Cottingham, Mathews, Casey, Stubbs, Culver, Robertson and Therrell:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

Ways and Means.

By Messrs. Jones (F), Straiton and Taylor:

H. 129. To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

Local Legislation No. 4.

By Mr. Casey:

H. 130. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

Local Legislation No. 1.

By Mr. Lutz:

H. 131. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

Judiciary.

By Messrs. Nettles, Therrell, Owens and Lyons:

H. 132. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Insurance.

By Mr. Waggoner:

H. 133. To amend Section 4 of Act No. 577, Regular Session, 1967, as amended, an Act regulating the teaching and practice of Cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology.

Health.

By Mr. Merrill:

H. 134. To make an appropriation for the operation and maintenance of Jacksonville State University.

Ways and Means.

By Mr. Grainger:

H. 135. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

Judiciary.

By Mr. Grainger:

H. 136. To amend further Code of Alabama 1940, Title 30, Section 21, relating to persons on jury rolls.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Messrs. Pruitt and Robertson:

H. J. R. 22. COMMENDING LIVINGSTON STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE HONOR OF PLAYING FOR THE FOOTBALL CHAMPIONSHIP OF THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS.

WHEREAS the Livingston State University football team, the "Tigers", will meet unbeaten and untied Arkansas Tech on the night of December 11, 1971 for the 16th Annual National Association of Intercollegiate Athletics Football Championship; and

WHEREAS the Livingston State University football team won this honor by defeating West Liberty State College 25—2 in its semifinal game played at Steubenville, Ohio; and

WHEREAS that semifinal game was delayed while several inches of snow was removed from the field and then the game was played while snow fell; and

WHEREAS the Livingston State University football team displayed much courage and gritty determination by planning ahead despite such adverse weather conditions; and

WHEREAS this football team equipped with pure desire and brilliance did complete its regular season with a highly successful record of nine wins and one loss; and

WHEREAS this football team did display a hard-hitting and aggressive defense along with a stout-hearted offense; and

WHEREAS this phenomenal feat was achieved under the brilliant and astute leadership of Coach Mickey Andrews and his staff; and

WHEREAS this football team has brought national attention to Livingston State University and has added to the fabulous football heritage of the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its jubilant congratulations to the Livingston State University football team, Athletic Director Don Johnston, Coach Andrews and the assistant coaches.

BE IT FURTHER RESOLVED, that this Legislature wishes this football team a great victory in the forthcoming national championship game.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the players of the Livingston State University football team, Coach Andrews and the assistant coaches.

On motion of Mr. Pruitt, the rules were suspended and the resolution, H. J. R. 22, was adopted.

RESOLUTIONS

The following resolutions introduced on the First Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 10. MOURNING THE DEATH OF FRED ALLEN.

H. J. R. 11. MOURNING THE DEATH OF GORDON L. EVATT.

H. J. R. 12. MOURNING THE DEATH OF HILLIARD ARONOV.

H. J. R. 13. MOURNING THE DEATH OF JOHN BODDIE.

H. J. R. 14. Congratulating Albert McDonald of Madison County upon being named as the Nation's "Cotton Farmer of the Year."

H. J. R. 15. MOURNING THE DEATH OF B. HEFLIN HAYNES.

H. J. R. 16. MOURNING THE DEATH OF WILLIAM D. WHETSTONE.

H. J. R. 17. MOURNING THE DEATH OF JOHN L. OGLETREE, JR.

H. J. R. 18. Honoring Minter Carney "Jack" Hayes, a great American, and outstanding Alabamian and Major League Baseball Player.

On motion of Mr. Gloor, the resolutions, H. J. R. 10, H. J. R. 11, H. J. R. 12, H. J. R. 13, H. J. R. 14, H. J. R. 15, H. J. R. 16, H. J. R. 17 and H. J. R. 18, were adopted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 23. COMMENDING TOM SURLAS FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Tom Surlas, linebacker on the University of Alabama football team, has been selected a member of the All Southeastern Conference Team; and

WHEREAS Tom Surlas is a tremendous tackler and defensive ringleader who has carried on the Alabama tradition for producing top linebackers; and

WHEREAS Tom Surlas is an excellent pass defender who covers his area with tremendous quickness for a linebacker; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Tom Surlas for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Tom Surlas.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 23, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Bank, Culver, Parker (T), Taylor, Lyons and Wallace:

H. J. R. 24. COMMENDING JOHN HANNAH FOR WINNING ALL-AMERICAN HONORS.

WHEREAS John Hannah, offensive guard on the University of Alabama football team, has been selected an all-American for the season of 1971; and

WHEREAS John Hannah used his unusual size and quickness to open huge holes in the opposition's defensive line and set the stage for numerous long gains by the University of Alabama backs; and

WHEREAS John Hannah is worthy of this highly esteemed honor and is worthy of all praise that he has earned for his outstanding blocking; and

WHEREAS John Hannah, playing a position that is not in the limelight as compared to other positions on the football team, did rise above the crowd with hard work and constant practice; and

WHEREAS this honor is one of the highest awards that can be earned by a college football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its jubilant congratulations to John Hannah for winning this high honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to John Hannah.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 24, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Bank, Culver, Parker (T), Taylor, Lyons and Wallace:

H. J. R. 25. COMMENDING ROBBIN PARKHOUSE FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Robbin Parkhouse, defensive end on the University of Alabama football team has been selected a member of the All Southeastern Conference Team; and

WHEREAS Robbin Parkhouse defends his position and plays with fearless abandon; and

WHEREAS Robbin Parkhouse is a devastating pass rusher and a deadly tackler; and

WHEREAS Robbin Parkhouse is considered by many observers to be the South's finest defensive end; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Robbin Parkhouse for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Robbin Parkhouse.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 25, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 26. COMMENDING JIMMY GRAMMER FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Jimmy Grammer, center for the University of Alabama football team, has been selected a member of the All Southeastern Conference Team; and

WHEREAS Jimmy Grammer overcame numerous injuries and became adept at his position through hard work and abundant determination; and

WHEREAS Jimmy Grammer overcame his lack of size with tremendous quickness and desire; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Jimmy Grammer for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Jimmy Grammer.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 26, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Culver, Bank, Parker (T), Taylor, Lyons and Wallace:

H. J. R. 27. COMMENDING JIM KRAPF FOR WINNING ALL-AMERICAN HONORS.

WHEREAS Jim Krapf, offensive tackle on the University of Alabama football team, has been selected an all-American for the season of 1971; and

WHEREAS Jim Krapf endowed with tremendous strength and talent overcame the hazard of playing a new position through gritty determination; and

WHEREAS Jim Krapf rose from the shadows that are usually a part of an offensive lineman's lot; and

WHEREAS Jim Krapf displayed fabulous blocking skill which paved the way for numerous long gains by the Alabama backfield; and

WHEREAS Jim Krapf is worthy of this highly esteemed honor and has brought national attention to the State of Alabama; and

WHEREAS this honor is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its jubilent congratulations to Jim Krapf for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Jim Krapf.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 27, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 28. COMMENDING DAVID BAILEY FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS David Bailey tight-end on the University of Alabama football team, has been selected a member of the All Southeastern Conference Team; and

WHEREAS David Bailey used his blazing speed and sure hands to establish many Alabama receiving records; and

WHEREAS David Bailey displayed a tremendous team attitude and was a smashing blocker on the famed Alabama option plays; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to David Bailey for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to David Bailey.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 28, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 29. COMMENDING JOHNNY MUSSO FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Johnny Musso, halfback on the University of Alabama football team, has been selected a member of the All Southeastern Conference Team; and

WHEREAS Johnny Musso used his slashing speed and dazzling moves for numerous long runs throughout the season; and

WHEREAS Johnny Musso is truly a remarkable football player and ranks with the top runningbacks in this nation; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a college football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Johnny Musso for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Johnny Musso.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 29, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Culver, Bank, Parker (T), Taylor, Lyons and Wallace:

H. J. R. 30. COMMENDING JOHNNY MUSSO FOR WINNING ALL-AMERICAN HONORS.

WHEREAS Johnny Musso, halfback on the University of Alabama football team, has been selected an all-American for the season of 1971; and

WHEREAS Johnny Musso used his uncanny moves and abundant determination to establish numerous football rushing records; and

WHEREAS Johnny Musso is worthy of this highly esteemed honor and is worthy of all the praise that has come his way; and

WHEREAS Johnny Musso has brought honor not only to himself, but to the University of Alabama and his home State of Alabama; and

WHEREAS this honor is one of the highest awards that can be earned by a college football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its jubilant congratulations to Johnny Musso for winning this high honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Johnny Musso.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 30, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 31. COMMENDING STEVE HIGGENBOTHAM FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Steve Higgenbotham, a defensive back on the University of Alabama football team, has been selected a member of the All Southeastern Conference Team; and

WHEREAS Steve Higgenbotham has displayed tremendous quickness and an outstanding knowledge of the game of football; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Steve Higgenbotham for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Steve Higgenbotham.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 31, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Bank, Culver, Taylor, Lyons and Wallace:

H. J. R. 32. COMMENDING JIM KRAPF FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

WHEREAS Jim Krapf, offensive tackle on The University of Alabama football team has been selected a member of the All Southeastern Conference team; and

WHEREAS Jim Krapf displayed unusual dedication to his team by switching to this new position after having made the All SEC Sophomore team as a linebacker; and

WHEREAS Jim Krapf displayed uncanny skill and gritty determination with his blocking throughout the season; and

WHEREAS this fine young athlete has brought honor to the State of Alabama; and

WHEREAS this is one of the highest awards that can be earned by a football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its hearty congratulations to Jim Krapf for winning this honor.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Jim Krapf.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 32, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Bank, Culver, Parker (T), Taylor, Lyons and Wallace:

H. J. R. 33. COMMENDING TOM SURLAS FOR WINNING ALL-AMERICAN HONORS.

WHEREAS Tom Surlas, linebacker on the University of Alabama football team, has been selected an all-American for the season of 1971; and

WHEREAS Tom Surlas overcame injuries and frustrations to rise above the crowd and rank with the foremost defensive players in this nation; and

WHEREAS Tom Surlas is worthy of this highly esteemed honor and is worthy of all the praise that has come his way; and

WHEREAS Tom Surlas has brought honor not only to himself, but to the University of Alabama and the State of Alabama; and

WHEREAS this honor is one of the highest awards that can be earned by a college football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its jubilant congratulations to Tom Surlas for winning this honor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Tom Surlas.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 33, on the Clerk's desk for one legislative day.

NOTICE IN WRITING

Mr. Cauthen filed the following Notice in Writing:

This notice is hereby given that on the next legislative day a motion will be made to add the following new House rule immediately after rule 52 and to renumber the remaining rules:

Rule 53. The clerk shall, upon introduction of a bill, immediately make a photocopy, to be designated as a second official copy and to be used as a replacement in the event the original bill is lost, misplaced or destroyed.

NOTICE IN WRITING

Mr. Cauthen filed the following Notice in Writing:

This notice is hereby given that on the next legislative day a motion will be made to add the following new House rule immediately after rule 52 and to renumber the remaining rules:

Rule 53. The clerk shall, upon introduction of a bill, immediately make a duplicate copy, to be designated as a second official copy and to be used as a replacement in the event the original bill is lost, misplaced or destroyed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 4. Congratulating the University of Alabama Football Team, Coach Paul "Bear" Bryant and his assistant coaches for their outstanding football season.

Also:

H. J. R. 6. Commending Johnny Musso.

Also:

H. J. R. 7. Commending Patrick Joseph Sullivan.

Also:

H. J. R. 8. Commending Terry Paul Beasley.

Also:

H. J. R. 9. Commending the Civitan Clubs of Alabama on their promotion of Alabama Clergy Week.

Also:

H. J. R. 21. Congratulating Representative Bennett Lee (Ben) Cherner upon the recent birth of his daughter.

McDOWELL LEE,
Secretary.

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 1:00 o'clock p. m., Thursday, December 2, 1971.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, December 2, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Bob Jones, Chancellor, Bob Jones University, Greenville, South Carolina.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Hobbie	Reid (R)
Adams	Crowe	Jackson	Reynolds
Adwell	Culver	Jones (E)	Robertson
Agee	Dill	Jones (F)	St. John
Baker	Doss	King	Slate
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lang	Smith (P)
Bassett	Easters	Lutz	Snell
Benton	Edwards	McBride	Stewart
Boles	Ellis	McCluskey	Stokes
Boutwell	Erdreich	McCorquodale	Straiton
Bowers	Falkenburg	McDonald	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Waldrop
Cherner	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Parker (H)	Weeks
Connell	Harris	Parker (T)	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Pruitt	Wood
Crawford	Hill	Reed (T)	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mrs. Wynot, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Pruitt, leave of absence was granted for Mr. Manley due to absence from the State.

On motion of Mr. Downing, leave of absence was granted for Mr. Roberts due to personal business.

RESOLUTION

The following resolution was introduced:

By Messrs. Jones (F), Owens, Headley, Stubbs and Boles:

H. J. R. 34. DEMANDING AN APOLOGY OR EQUAL TIME FROM ABC TELEVISION FOR SLIGHTING THE SOUTHERN SPORTSWRITERS AND SPORTSCASTERS FOR THEIR SUPPORT OF PAT SULLIVAN IN THE HEISMAN TROPHY VOTING.

WHEREAS the American Broadcasting Company Sports television show allowed Ed Marinaro of Cornell University to use the television waves of that network to imply that he had been unjustly deprived of the Heisman Trophy award due to the bias and prejudice of southern sportswriters and sportscasters toward the Ivy League and that had he played in any other league he would have won the award; and

WHEREAS it is the strong feeling of this legislature that Pat Sullivan, southern sportswriters and sportscasters were treated unfairly on last Saturday's Prudential Scoreboard; and

WHEREAS the sportscaster on that program, Bud Palmer, also seemed to imply not only that southern sportswriters and sportscasters but also the southwestern sportswriters and sportscasters had discriminated against Ed Marinaro and the Ivy League by voting for Pat Sullivan; and

WHEREAS through the years the people in the South have felt that there had been athletes from this part of the country who were worthy of the award and, in fact, should have won the award, southern people have always kept their sense of fair play and have never resorted to degrading themselves by participating in name-calling contests and leveling false accusations at their fellow countrymen; and

WHEREAS Pat Sullivan is a tremendous athlete, had a fabulous career in the toughest football conference in this nation and has always conducted himself with poise, maturity and with the gracious manners that are so much a part of our southern heritage; and

WHEREAS Pat Sullivan received 1,597 total points of which there were 355 first place votes, won the 37th annual John H. Heisman Trophy and has been named the outstanding college football player in the nation. It should be noted that Ed Marinaro received 1,445 total points and 295 first place votes; and

WHEREAS it is the strong and unanimous feeling of this legislature that the American Broadcasting Company Sports program should either apologize and/or should allow Pat Sullivan's supporters equal time to reply to these utterly immature statements and false accusations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature demands from the American Broadcasting Sports network either an apology and/or equal time for Pat Sullivan's supporters to reply to the utterly false and immature statements made relative to the recent John H. Heisman Trophy voting.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Roone Arledge, Sports Director, American Broadcasting Company, New York, N. Y. and to Kenneth Foster, Prudential Life, P. O. Box 594, Newark New Jersey 07101.

On motion of Mr. Jones (F), the rules were suspended and the resolution, H. J. R. 34, was adopted.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 116. To make additional appropriations to the Department of Public Safety.

H. 117. To make additional appropriation to the Banking Department —Bureau of Loans.

H. 3. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

H. 118. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

H. 115. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or

older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 119. To amend Section 5 of Act No. 1957, H. 1851, Legislature of 1971, Regular Session, approved September 20, 1971, an Act to provide for the regulation of the custom application of pesticides by aircraft and ground equipment, etc., said Section 5 thereof relating to the bond or liability insurance required by persons engaged in the custom application of pesticides.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 14. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the county commissioners elected in each such county.

H. 98. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Criminal Cases in such Courts after the expiration of Ten years from the date of final Judgments, but no authority is given herein to destroy the Consolidated Docket and Fee Book Sheets, Final Record Books or the Indices in such Cases.

H. 121. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax in Talladega County for the purpose of enabling such county and the municipalities therein to establish and maintain a system or systems for the collection and disposal of garbage, trash and other solid wastes.

The above bill was read a second time at length as required by the Constitution.

H. 130. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 129. To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 132. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 120. To amend Section 2 of Act No. 821 of the 1971 Regular Session of the Legislature of Alabama; to provide that the provisions of this amendatory Act shall be retroactive to September 7, 1971.

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, December 7, 1971.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 35, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Foshee, Shelby and Fine:

S. J. R. 10. Resolution requesting Pat Sullivan, Terry Beasley, Johnny Musso, and John Hannah to appear before a Joint Session.

WHEREAS, Alabama can boast of having two of the top football teams in the country, and in addition, two of the most outstanding football coaches to ever direct a football team at any level or in any era; and

WHEREAS, Pat Sullivan, the 1971 Heisman Trophy winner, Terry Beasley, Johnny Musso, and John Hannah, have each made All-America during the past season and have demonstrated outstanding leadership on and off the football field; and

WHEREAS, the Alabama Legislature would like to pay special tribute to these young men, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that on Tuesday, December 7, 1971, Pat Sullivan, Terry Beasley, Johnny Musso and John Hannah, along with Coach Ralph Jordan and Coach Paul Bryant be invited to appear before a Joint Session of the Alabama Legislature in order that we may give proper recognition and acclaim to these outstanding athletes who have brought special recognition to our great state.

BE IT FURTHER RESOLVED that the above outstanding coaches and players be guests of honor on December 7.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Coach Ralph Jordan, Coach Paul Bryant, Pat Sullivan, Terry Beasley, Johnny Musso, John Hannah, and to the parents of the outstanding football players.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 10, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. J. R. 36. CONGRATULATING PEGGY WALLACE AND ROBERT CRUMPTON

WHEREAS Peggy Wallace, the beautiful, charming and gracious daughter of the chief executive, has been formally "pinned" with the Sigma Nu badge of the handsome, suave and debonaire Robert Crumpton; and

WHEREAS Peggy and Robert have been steady companions for over a year and a half; and

WHEREAS Robert is to be commended by the legislature for his supreme exercise of sound judgment and for making the noble sacrifice of putting in his past all the temptations of worldly pleasures; and

WHEREAS this legislature considers itself composed of lovers—young and old—and has always been an admirer of lovers; and

WHEREAS although Robert is a student at Auburn University he must be commended for making the most out of an otherwise gloomy November 27, 1971; and

WHEREAS this legislature assures Robert of full "spiritual" support in his negotiations with our chief executive; and

WHEREAS this legislature is of the judgment that although Robert is leaving his options open as to the time of his talks with our chief executive and we are sure that at the opportune time Robert will make the right "pitch"; and

WHEREAS this legislature wishes to congratulate Robert and Peggy and to wish their romance a long and happy life; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature extends its congratulations and best wishes to these wonderful young lovers.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Robert and Peggy.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 36, was adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Turner and Cottingham:

H. 137. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; providing for participation by the State Highway Department in the county engineer's salary.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 138. To amend Section 32 of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama so as to make further provisions respecting the use of the proceeds from the taxes levied by the said Act, as amended.

Ways and Means.

By Mr. McCorquodale:

H. 139. To repeal Section 424 of Title 51, Code of Alabama 1940, as heretofore amended which section appropriates funds out of the proceeds of the income tax.

Ways and Means.

By Messrs. Flippo and Hill:

H. 140. To amend Act No. 1695, H. 2263, approved September 17, 1971, which relates to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the most recent federal decennial census, and creates a civil service board in said counties to assure the more efficient operation of the sheriff's department; amending such bill in relation to the work load of uniformed deputy sheriffs.

Local Legislation No. 1.

By Messrs. Waldrop, Reid (R), Coshatt, Gray (F), Stewart, Wynot and Carnes:

H. 141. To require any automobile used by an employee of the Department of Public Safety in enforcing the state's laws to be equipped with a screen or other protective device between the front and rear seats of the vehicle.

State Administration.

By Messrs. Waldrop, Reid (R), Coshatt, Gray (F), Stewart, Wynot and Carnes:

H. 142. To provide a distinctive color and marking for motor vehicles used by state troopers in law enforcement.

State Administration.

By Messrs. Waldrop, Coshatt and Carnes:

H. 143. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

State Administration.

By Messrs. Waldrop, Reid (R), Coshatt and Carnes:

H. 144. To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors, and repealing conflicting laws.

Constitution and Elections.

By Messrs. Collins and Lyons:

H. 145. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; to establish a procedure for the implementation and control of all future annual salary increases or decreases for the License Commissioner in such counties.

Local Legislation No. 3.

By Mr. Hale:

H. 146. Relating to representation in the House of Representatives of the Alabama Legislature; fixing the number of members of the House; dividing the State into legislative regions, composed of whole counties; apportioning the membersship of the House among these regions; and authorizing, providing for and regulating the further division of such regions into single member legislative districts at a future date.

Constitution and Elections.

By Mr. Hale:

H. 147. Relating to representation in the Senate of the Alabama Legislature; fixing the number of Senators; dividing the State into senatorial regions, composed of whole counties; apportioning the membership of the Senate among these regions; and authorizing, providing for and regulating the further division of such regions into single member senatorial districts at a future date.

Constitution and Elections.

By Messrs. Brassell and Adams:

H. 148. To amend further the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), as amended, which abolishes the public highway and traffic funds in the county treasuries and provides for

the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis; by revising the mode of disbursement of said funds, and making such revision retroactive.

Ways and Means.

By Messrs. Grey (D), Reid (R), Goodwin, Therrell, Reed (T), Coshatt, Boles and Lang:

H. 149. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Public Welfare.

By Messrs. Doss, Merrill, Erdreich, Timmons, Lyons, Parker (T), Jones (F), McCluskey, Crowe, Smith (P) and Carnes:

H. 150. To reapportion the House of Representatives of the Legislature.

Constitution and Elections.

By Messrs. McDonald, Drake and St. John:

H. 151. Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Local Legislation No. 1.

By Messrs. McDonald, Drake and St. John:

H. 152. To Amend Section 35 of Act No. 30, approved May 31, 1963, Relating to The Official Court Reporter For The County Court of Marshall County, Alabama.

Local Legislation No. 1.

By Messrs. Drake and St. John:

H. 153. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-second Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Drake and St. John:

H. 154. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the thirty-second judicial circuit.

Local Legislation No. 1.

By Messrs. Drake and St. John:

H. 155. Relating to judicial procedure in the Thirty-second judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Local Legislation No. 1.

By Messrs. Drake and St. John:

H. 156. To abolish the drawing of special venires in capital cases in the Thirty-second Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Hardin, Bassett, Headley, Mims, Warren, McCorquodale, Bank and Culver:

H. 157. To amend Act No. 96, H. 17 of the Special Session of 1971, which raises revenue and for such purpose levies a privilege or license tax against persons on account of engaging in the business of leasing or renting tangible personal property, approved May 11, 1971, so as to provide that the department of revenue may authorize and provide for the payment of such tax quarterly instead of on a monthly basis.

Judiciary.

By Mr. Casey:

H. 158. Relating to counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; to authorize the county governing bodies of such counties to appropriate $675.00 each for the relief of J. W. Messer, Sr., J. M. Noles, and Doug Allen.

Local Legislation No. 1.

By Messrs. Collins and Lyons:

H. 159. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Ellis, Jones (E), Waggoner, McBride, Timmons, Dill, Bowers, Wallace, Turner, Drake, Boles, Hearn, Grey (D), Coshatt, Reid (R), Goodwin, Bank, Williams, Chesnut, Cottingham, McCluskey, Smith (P), Edwards, Smith (K), Carter, Barkett, Crawford, Connell, Jackson, Wise, Kinsey, Jones (F), May, Hardin, Bassett, Straiton, Harris, Taylor, Hobbie, Owens, Mims, Warren, Nettles, Collins, Therrell and Casey:

H. J. R. 37. APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That said Legislature, hereby and pursuant to Article V of the Constitution of the United

States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

ARTICLE

No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin.

BE IT FURTHER RESOLVED, That this application by the Legislature of the State of Alabama constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no longer be of any force or effect; and

BE IT FURTHER RESOLVED, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Alabama interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and

BE IT FURTHER RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States.

On motion of Mr. Ellis, the rules were suspended and the resolution, H. J. R. 37, was adopted.

Also:

By Mr. Erdreich:

H. J. R. 38. Mourning the Death of Roland Ellis Goodwin

WHEREAS Roland Ellis Goodwin, age 57, and one of the outstanding citizens of this state, passed away recently; and

WHEREAS Roland Ellis Goodwin was a native of Birmingham and an employee of the United States Steel Corporation; and

WHEREAS Roland Ellis Goodwin was active in the civic affairs of his community and was a member of the Fairfield Civitan Club, Draft Board Local 40 and the National Riflemen's Association; and

WHEREAS Roland Ellis Goodwin was prominent in the business affairs of his community and was President of the United Steel Workers of America Local 1131 and was a past president of the Birmingham Labor Council; and

WHEREAS Roland Ellis Goodwin was a dedicated and devoted member of the trade union movement; and

WHEREAS Roland Ellis Goodwin is greatly mourned by his family and friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature expresses its sincere sorrow at the passing of this outstanding man and do pass this resolution as a memorial to his exemplary life, his benevolence and service to his fellowmen.

BE IT FURTHER RESOLVED That copies of this resolution be sent to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 38, on the Clerk's desk for one legislative day.

RESOLUTIONS

The following resolutions introduced on the Second Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 31. COMMENDING STEVE HIGGENBOTHAM FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

H. J. R. 32. COMMENDING JIM KRAPF FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

H. J. R. 33. COMMENDING TOM SURLAS FOR WINNING ALL-AMERICAN HONORS

H. J. R. 24. COMMENDING JOHN HANNAH FOR WINNING ALL-AMERICAN HONORS

H. J. R. 25. COMMENDING ROBBIN PARKHOUSE FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

H. J. R. 26. COMMENDING JIMMY GRAMMER FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

H. J. R. 28. COMMENDING DAVID BAILEY FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

H. J. R. 30. COMMENDING JOHNNY MUSSO FOR WINNING ALL-AMERICAN HONORS

On motion of Mr. Gloor, the resolutions, H. J. R. 31, H. J. R. 32, H. J. R. 33, H. J. R. 24, H. J. R. 25, H. J. R. 26, H. J. R. 28 and H. J. R 30, were adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Waldrop, Wynot and Carnes:

H. J. R. 39. COMMENDING L. V. WHITEY FOR HIS LONG SERVICE TO THE UNITED STEELWORKERS OF AMERICA AND TO THE WORKING PEOPLE OF ALABAMA

WHEREAS L. V. Whitey has faithfully served the working people of Alabama for seventeen years; and

WHEREAS L. V. Whitey has faithfully served the United Steelworkers of America as its Legislative Representative for seventeen years; and

WHEREAS L. V. Whitey is a native of Gadsden having attended Emma Sansom High School and having lived in Gadsden all his life and has been an employee of Republic Steel Corporation of Gadsden for twenty-five years; and

WHEREAS L. V. Whitey has served the longest of any United Steelworkers of American in Alabama as legislative representative; and

WHEREAS L. V. Whitey over the years has shown great knowledge of the legislative process and earned the respect of governors, legislators, state officials and many private citizens for his dedication and sound judgment; and

WHEREAS L. V. Whitey has long been a faithful friend of all legislators; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body is deeply appreciative of the long and valuable service rendered the State by a man whose talents and skill has contributed so much to the United Steelworkers of Alabama and the working people of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to L. V. Whitey, United Steelworkers of America Local 2176 Gadsden, Rip Reagan, Principal, Emma Sansom High School, Gadsden, Gadsden Times, Etowah News Journal, Gadsden City Commission, Etowah County Commission and Republic Steel Corporation.

On motion of Mr. Waldrop, the rules were suspended and the resolution, H. J. R. 39, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 19. BE IT RESOLVED by the Legislature, both Houses thereof concurring, That when the Senate and House adjourn today they adjourn to meet again on Tuesday, December 7, 1971.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 19, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Noonan and Pelham:

S. 60. To Amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

Also:

By Mr. Dozier:

S. 57. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

By Mr. Dozier:

S. 58. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Also:

By Mr. Owen:

S. 69. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 12 deputy sheriffs, and require one chief and two deputy jailors, and to prescribe the compensation of such deputies and jailors.

Also:

By Mr. Owen:

S. 70. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax collector of such counties.

Also:

By Mr. Owen:

S. 71. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Also:

By Mr. Owen:

S. 72. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax assessor of such counties.

Also:

By Mr. Owen:

S. 73. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the Judge of Probate of such counties.

Also:

By Mr. Register:

S. 74. Relating to counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance to the coroner of said counties in the amount of $75.00 per month.

Also:

By Mr. Register:

S. 75. To provide for the reinstatement of certain persons holding permanent appointments in the classified service of the City of Dothan after having left such classified service to serve as heads of a department of government of such city or county with all their former status and rights pertaining thereto.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the reinstatement of certain persons holding permanent appointments in the classified service of the City of Dothan, after having left such classified service to serve as heads of a department of government of such city or county with all their former status and rights pertaining thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. If any person, prior to becoming head of a department of government of the City of Dothan, held a permanent appointment in the classified service of the City of Dothan under the civil service system of Dothan,

existing pursuant to Act No. 273, S. 292 of the Regular Session of 1947 (Local Acts, 1947, p. 196), as amended and supplemented, and the combined time he served in such classified service and as head of the department is not less than eight years, he shall, at his option, upon ceasing to be such department head be reinstated as an employee in the classified service of the City of Dothan, provided he is not otherwise disqualified for such service. Such employee shall be reinstated in a position of comparable grade and compensation to the position he held immediately prior to accepting position as head of a department, and he shall be entitled to his former status in such service and all the rights and benefits accruing themselves just as if he had been granted a leave of absence for the period he served as head of the department.

Section 2. The provisions of this Act are severable. If any part of the Act is delcared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miiler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertiser Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, Aug. 5, 12, and 19, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me August 24, 1971.

EUGENE S. McCLINTIC,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 60. Standing Committee on Local Legislation No. 3.

S. 57. Standing Committee on Local Legislation No. 1.

S. 58. Standing Committee on Local Legislation No. 1.

S. 69. Standing Committee on Local Legislation No. 1.

S. 70. Standing Committee on Local Legislation No. 1.

S. 71. Standing Committee on Local Legislation No. 1.

S. 72. Standing Committee on Local Legislation No. 1.

S. 73. Standing Committee on Local Legislation No. 1.

S. 74. Standing Committee on Local Legislation No. 1.

S. 75. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Littleton, Foshee, Fine and Malone:

S. 37. To provide for the issuance of special license tags to members of the Alabama Jaycees and Citizen's Band Radio Operators.

Also:

By Mr. Clark:

S. 65. To amend Section 10 of Act No. 211, Regular Session 1945, approved July 7, 1945, (General Acts of Alabama 1945, p. 330), which relates to public hospitals, so as to provide an alternative form of selecting the directors of certain public hospital associations.

Also:

By Messrs. Owen, Clark, King, Cooper and Littleton:

S. 68. To authorize the Department of Conservation and Natural Resources to comply with Public Law 91-646, known as the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970.

Also:

By Messrs. Pierce, Jones, Harris, Lybrand, Dozier and Wilder:

S. 55. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the personnel board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Also:

By Mr. Fine:

S. 4. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Manage-

ment, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 37. Standing Committee on State Administration.

S. 65. Standing Committee on Health.

S. 68. Standing Committee on Conservation.

S. 55. Standing Committee on Ways and Means.

S. 4. Standing Committee on Judiciary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. Appointing a Committee from the House and Senate to notify the Governor that the Legislature is now in session and ready for the transaction of business.

Also:

H. J. R. 3. Relative to a joint session of the House and Senate for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

Also:

H. J. R. 19. Relative to providing two stenographers for the Health Study Commission created under the provisions of S. J. R. 70, Act No. 2226, Regular Session 1971.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 4. Congratulating the University of Alabama Football Team, Coach Paul "Bear" Bryant and his assistant coaches for their outstanding football season.

Also:

H. J. R. 6. Commending Johnny Musso.

Also:

H. J. R. 7. Commending Patrick Joseph Sullivan.

Also:

H. J. R. 8. Commending Terry Paul Beasley.

Also:

H. J. R. 9. Commending the Civitan Clubs of Alabama on their promotion of Alabama Clergy Week.

Also:

H. J. R. 21. Congratulating Representative Bennett Lee (Ben) Cherner upon the recent birth of his daughter.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 9. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Second Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Boutwell
Adams	Bassett	Boles	Brassell

Carnes	Erdreich	Kinsey	Robertson
Carter	Falkenburg	Lutz	Slate
Casey	Fite	McBride	Smith (K)
Cauthen	Flippo	McCluskey	Smith (P)
Cherner	Gafford	Mathews	Snell
Chesnut	Gloor	May	Stewart
Collins	Goodwin	Meeks	Stubbs
Connell	Grainger	Merrill	Therrell
Coshatt	Gray (F)	Mims	Timmons
Cottingham	Grey (D)	Naramore	Turnham
Cross	Hale	O'Daniel	Waldrop
Crowe	Hardin	Owens	Wallace
Culver	Harris	Parker (H)	Warren
Dill	Headley	Parker (T)	Weeks
Doss	Hill	Perloff	Williams
Downing	Jackson	Pruitt	Wise
Easters	Jones (E)	Reed (T)	Wood
Edwards	Jones (F)	Reid (R)	Wynot
Ellis	King	Reynolds	—83

And the bill:

H. 10. To regulate further the excusing of persons from jury service in the Second Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Reid (R)
Adams	Cross	Jackson	Reynolds
Adwell	Crowe	Jones (E)	Robertson
Baker	Culver	Jones (F)	St. John
Bank	Dill	King	Slate
Barkett	Downing	Kinsey	Smith (K)
Bassett	Easters	Lutz	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	Mathews	Stokes
Boutwell	Falkenburg	May	Straiton
Brassell	Fite	Meeks	Taylor
Burgess	Flippo	Merrill	Therrell
Carnes	Gafford	Mims	Timmons
Carter	Gloor	Naramore	Turnham
Casey	Goodwin	O'Daniel	Waldrop
Cauthen	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Weeks
Chesnut	Grey (D)	Parker (T)	Williams
Collins	Hardin	Perloff	Wise
Connell	Harris	Pruitt	Wood
Coshatt	Headley	Reed (T)	Wynot
Cottingham			—85

And the bill:

H. 11. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Reid (R)
Adams	Crowe	Jackson	Reynolds
Baker	Culver	Jones (E)	Robertson
Bank	Dill	Jones (F)	St. John
Barkett	Doss	King	Slate
Bassett	Downing	Kinsey	Smith (K)
Benton	Easters	Lang	Smith (P)
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Brassell	Erdreich	McCluskey	Straiton
Burgess	Falkenburg	Mathews	Stubbs
Callahan	Fite	May	Therrell
Carnes	Flippo	Meeks	Timmons
Carter	Gafford	Merrill	Turnham
Casey	Goodwin	Mims	Waggoner
Cauthen	Grainger	Naramore	Waldrop
Cherner	Gray (F)	O'Daniel	Wallace
Chesnut	Grey (D)	Owens	Warren
Collins	Hale	Parker (H)	Weeks
Connell	Hardin	Parker (T)	Williams
Coshatt	Harris	Perloff	Wise
Cottingham	Headley	Pruitt	Wood
Crawford	Hearn	Reed (T)	Wynot

—92

And the bill:

H. 12. Relating to the method of giving notice of the requirement of attendance of Jury service in the Second Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gloor	McCluskey
Adams	Collins	Goodwin	Mathews
Adwell	Connell	Grainger	May
Agee	Cottingham	Gray (F)	Meeks
Baker	Crawford	Grey (D)	Merrill
Bank	Cross	Hale	Mims
Barkett	Crowe	Hardin	Naramore
Bassett	Culver	Harris	O'Daniel
Benton	Dill	Headley	Owens
Boles	Doss	Hearn	Parker (H)
Boutwell	Downing	Hill	Parker (T)
Brassell	Easters	Jackson	Perloff
Burgess	Edwards	Jones (E)	Pruitt
Callahan	Ellis	Jones (F)	Reed (T)
Carnes	Erdreich	King	Reid (R)
Carter	Falkenburg	Kinsey	Reynolds
Casey	Fite	Lang	Robertson
Cauthen	Flippo	Lutz	St. John
Cherner	Gafford	McBride	Slate

Smith (K)	Straiton	Waggoner	Williams
Smith (P)	Stubbs	Waldrop	Wise
Snell	Therrell	Wallace	Wood
Stewart	Timmons	Warren	Wynot
Stokes	Turnham	Weeks	

—95

And the bill:

H. 20. To apply only to counties having a population of not less than 49,000, nor more than 52,000; to fix the salary and allowances of the coroner in such counties; to provide for salary and allowances when said coroner is called upon to serve as sheriff, and to provide for a referendum.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Reid (R)
Agee	Culver	Jackson	Reynolds
Baker	Dill	Jones (E)	St. John
Barkett	Doss	Jones (F)	Slate
Bassett	Downing	King	Smith (K)
Benton	Easters	Kinsey	Smith (P)
Boles	Edwards	Lang	Stewart
Boutwell	Ellis	Lutz	Stokes
Bowers	Erdreich	McBride	Straiton
Brassell	Falkenburg	McCluskey	Stubbs
Callahan	Fite	Mathews	Therrell
Carnes	Flippo	May	Timmons
Carter	Gafford	Meeks	Turnham
Casey	Goodwin	Merrill	Waggoner
Cauthen	Grainger	Mims	Waldrop
Cherner	Gray (F)	Naramore	Wallace
Chesnut	Grey (D)	O'Daniel	Warren
Collins	Hale	Owens	Weeks
Connell	Hardin	Parker (H)	Williams
Cottingham	Harris	Perloff	Wise
Crawford	Headley	Pruitt	Wood
Cross	Hearn	Reed (T)	Wynot

—88

And the bill:

H. 21. To fix the compensation of the sheriffs of all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burgess	Cherner
Adams	Benton	Callahan	Chesnut
Agee	Boles	Carnes	Collins
Baker	Boutwell	Carter	Connell
Bank	Bowers	Casey	Cottingham
Barkett	Brassell	Cauthen	Crawford

Cross	Hale	Meeks	Stewart
Crowe	Hardin	Merrill	Stokes
Culver	Harris	Mims	Straiton
Dill	Headley	Naramore	Stubbs
Doss	Hearn	O'Daniel	Taylor
Downing	Hill	Owens	Therrell
Easters	Hobbie	Parker (H)	Timmons
Edwards	Jackson	Parker (T)	Turnham
Ellis	Jones (E)	Perloff	Waggoner
Erdreich	Jones (F)	Pruitt	Waldrop
Falkenburg	King	Reed (T)	Wallace
Fite	Kinsey	Reid (R)	Warren
Flippo	Lang	Reynolds	Weeks
Gafford	Lutz	St. John	Williams
Goodwin	McBride	Slate	Wise
Grainger	McCluskey	Smith (K)	Wood
Gray (F)	Mathews	Smith (P)	Wynot
Grey (D)	May	Snell	—95

And the bill:

H. 47. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Culver	Jones (E)	St. John
Agee	Dill	Jones (F)	Slate
Baker	Doss	King	Smith (K)
Barkett	Downing	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McBride	Stokes
Boutwell	Erdreich	McCluskey	Straiton
Bowers	Falkenburg	Mathews	Stubbs
Brassell	Fite	May	Taylor
Burgess	Flippo	Meeks	Therrell
Callahan	Gafford	Merrill	Timmons
Carnes	Gloor	Mims	Turnham
Carter	Goodwin	Naramore	Waggoner
Casey	Grainger	O'Daniel	Waldrop
Cauthen	Gray (F)	Owens	Wallace
Cherner	Grey (D)	Parker (H)	Warren
Chesnut	Hale	Parker (T)	Weeks
Collins	Hardin	Perloff	Williams
Connell	Headley	Pruitt	Wise
Cottingham	Hearn	Reed (T)	Wood
Crawford	Hill	Reid (R)	Wynot
Cross	Hobbie		—94

And the bill:

H. 48. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense al-

lowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	St. John
Adams	Dill	King	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bassett	Easters	Lutz	Snell
Benton	Edwards	McBride	Stewart
Boles	Ellis	McCluskey	Stokes
Boutwell	Erdreich	Mathews	Straiton
Bowers	Falkenburg	May	Stubbs
Brassell	Fite	Meeks	Taylor
Burgess	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	O'Daniel	Waggoner
Casey	Hale	Owens	Waldrop
Cauthen	Hardin	Parker (H)	Wallace
Cherner	Harris	Parker (T)	Warren
Chesnut	Headley	Perloff	Weeks
Collins	Hearn	Pruitt	Williams
Connell	Hill	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wood
Crawford	Jones (E)	Reynolds	Wynot

—88

And the bill:

H. 55. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Gray (F)
Adams	Carnes	Doss	Grey (D)
Adwell	Carter	Downing	Hale
Agee	Casey	Easters	Hardin
Bank	Cauthen	Edwards	Harris
Barkett	Cherner	Ellis	Hearn
Bassett	Chesnut	Erdreich	Hill
Benton	Collins	Falkenburg	Hobbie
Boles	Connell	Fite	Jackson
Boutwell	Cottingham	Flippo	Jones (E)
Bowers	Crawford	Gafford	Jones (F)
Brassell	Cross	Goodwin	King
Burgess	Crowe	Grainger	Kinsey

Lang	Owens	Slate	Turnham
Lutz	Parker (H)	Smith (K)	Waggoner
McBride	Parker (T)	Smith (P)	Waldrop
McCluskey	Perloff	Snell	Wallace
Mathews	Pruitt	Stewart	Warren
May	Reed (T)	Stokes	Weeks
Meeks	Reid (R)	Straiton	Williams
Merrill	Reynolds	Taylor	Wise
Mims	Robertson	Therrell	Wood
Naramore	St. John	Timmons	Wynot
O'Daniel			

—93

And the bill:

H. 72. (With Amendment): Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissioners and creating in lieu thereof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation #1, said Committee amendment being as follows:

In the last sentence of Section 14 delete the word "shall" and insert in lieu thereof the word "may".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Robertson
Adams	Cross	Jones (E)	St. John
Adwell	Crowe	Jones (F)	Slate
Agee	Culver	King	Smith (K)
Baker	Dill	Kinsey	Smith (P)
Barkett	Downing	Lang	Snell
Bassett	Easters	Lutz	Stewart
Benton	Edwards	McBride	Stokes
Boles	Ellis	McCluskey	Straiton
Boutwell	Falkenburg	McCorquodale	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Goodwin	Merrill	Turnham
Carnes	Grainger	Mims	Waggoner
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Cauthen	Hale	Owens	Warren
Cherner	Hardin	Parker (H)	Weeks
Chesnut	Harris	Perloff	Williams
Collins	Headley	Pruitt	Wise
Connell	Hearn	Reed (T)	Wood
Coshatt	Hill	Reynolds	Wynot
Cottingham			

—93

Mr. Coshatt offered the following amendment to the bill, H. 72, as amended:

In Section 4 delete the first sentence and insert in lieu thereof the following:

The chairman of said commission, who shall qualify and assume his duties hereunder, immediately upon this act becoming a law shall be James H. McClendon, Sr., and he shall hold office until the first Monday after the second Tuesday in January, 1975, and he shall receive for his services, payable out of the county treasury, the sum of $15,000 per year, in equal monthly installments.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Robertson
Adams	Cross	Jones (E)	St. John
Adwell	Crowe	Jones (F)	Slate
Agee	Culver	King	Smith (K)
Baker	Dill	Kinsey	Smith (P)
Barkett	Downing	Lang	Snell
Bassett	Easters	Lutz	Stewart
Benton	Edwards	McBride	Stokes
Boles	Ellis	McCluskey	Straiton
Boutwell	Erdreich	McCorquodale	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Gafford	Merrill	Turnham
Carnes	Grainger	Mims	Waggoner
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Cauthen	Hale	Owens	Warren
Cherner	Hardin	Parker (H)	Weeks
Chesnut	Harris	Perloff	Williams
Collins	Headley	Pruitt	Wise
Connell	Hearn	Reed (T)	Wood
Coshatt	Hill	Reynolds	Wynot
Cottingham			

—93

And the bill, H. 72, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brassell	Coshatt	Falkenburg
Adams	Burgess	Cottingham	Fite
Adwell	Callahan	Crawford	Flippo
Agee	Carnes	Cross	Gafford
Baker	Carter	Crowe	Goodwin
Barkett	Casey	Dill	Grainger
Bassett	Cauthen	Downing	Gray (F)
Benton	Cherner	Easters	Grey (D)
Boles	Chesnut	Edwards	Hale
Boutwell	Collins	Ellis	Hardin
Bowers	Connell	Erdreich	Harris

Headley	Mathews	Reed (T)	Taylor
Hearn	May	Reynolds	Therrell
Hill	Meeks	St. John	Timmons
Jackson	Merrill	Slate	Turnham
Jones (E)	Mims	Smith (K)	Waldrop
Jones (F)	Naramore	Smith (P)	Wallace
King	O'Daniel	Snell	Warren
Kinsey	Owens	Stewart	Weeks
Lang	Parker (H)	Stokes	Williams
Lutz	Perloff	Straiton	Wise
McCluskey	Pruitt	Stubbs	Wood
McCorquodale			

—89

And the bill:

H. 109. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Robertson
Adams	Crowe	Jones (E)	St. John
Agee	Culver	Jones (F)	Slate
Baker	Dill	King	Smith (K)
Barkett	Downing	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McBride	Stokes
Boutwell	Erdreich	McCluskey	Straiton
Bowers	Falkenburg	Mathews	Stubbs
Brassell	Fite	May	Taylor
Burgess	Flippo	Meeks	Therrell
Callahan	Gafford	Merrill	Timmons
Carnes	Goodwin	Mims	Turnham
Carter	Grainger	Naramore	Waggoner
Casey	Gray (F)	O'Daniel	Waldrop
Cauthen	Grey (D)	Owens	Wallace
Cherner	Hale	Parker (H)	Warren
Chesnut	Hardin	Parker (T)	Weeks
Collins	Harris	Perloff	Williams
Connell	Headley	Pruitt	Wise
Cottingham	Hearn	Reed (T)	Wood
Crawford	Hill	Reynolds	Wynot

—92

And the bill:

H. 110. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Robertson
Adams	Crowe	Jones (E)	St. John
Agee	Dill	Jones (F)	Slate
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McBride	Stokes
Boutwell	Erdreich	McCluskey	Straiton
Bowers	Falkenburg	Mathews	Stubbs
Brassell	Fite	May	Taylor
Burgess	Flippo	Meeks	Therrell
Callahan	Gafford	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Grey (D)	Owens	Waldrop
Cherner	Hale	Parker (H)	Wallace
Chesnut	Hardin	Parker (T)	Warren
Collins	Harris	Perloff	Weeks
Connell	Headley	Pruitt	Williams
Cottingham	Hearn	Reed (T)	Wood
Crawford	Hill	Reynolds	Wynot

—92

And the bill:

H. 114. To apply only to counties having a population of not less than 75,000, nor more than 90,000; fixing the salary of Deputy Sheriffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	St. John
Adwell	Dill	Jones (F)	Slate
Agee	Doss	King	Smith (K)
Baker	Downing	Kinsey	Smith (P)
Barkett	Drake	Lang	Snell
Benton	Easters	Lutz	Stewart
Boles	Edwards	McBride	Stokes
Boutwell	Ellis	McCluskey	Straiton
Bowers	Erdreich	Mathews	Therrell
Brassell	Falkenburg	May	Timmons
Burgess	Fite	Meeks	Turner
Callahan	Flippo	Merrill	Turnham
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	O'Daniel	Wallace
Cauthen	Grey (D)	Owens	Warren
Collins	Hale	Parker (H)	Williams
Connell	Hardin	Perloff	Wise
Cottingham	Headley	Pruitt	Wood
Crawford	Hill	Reed (T)	Wynot

—84

And the bill:

H. 22. To amend Section 1 of Act #206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	Reynolds
Adams	Crowe	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Jones (F)	Smith (K)
Bank	Downing	King	Smith (P)
Barkett	Drake	Kinsey	Stewart
Bassett	Easters	Lang	Stokes
Benton	Edwards	Lutz	Straiton
Boles	Ellis	McBride	Stubbs
Boutwell	Erdreich	McCluskey	Taylor
Bowers	Falkenburg	Mathews	Therrell
Brassell	Fite	May	Timmons
Burgess	Flippo	Meeks	Turner
Callahan	Gafford	Merrill	Turnham
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	O'Daniel	Wallace
Cauthen	Grey (D)	Owens	Warren
Cherner	Hale	Parker (H)	Weeks
Collins	Hardin	Perloff	Williams
Connell	Harris	Pruitt	Wood
Cottingham	Headley	Reed (T)	Wynot
Crawford			

—89

And the bill:

H. 23. To apply in all counties of this State having a population of 500,000 or more, according to the last or any succeeding federal census; to provide that any judge or judges who are members of any county retirement system and who may become supernumerary judge or judges pursuant to law, shall, upon becoming supernumerary, be considered as retired fully and shall be entitled to the earned benefits as provided for retired members of any county retirement system to which they belong, and to provide that all contributions into such county retirement system by such member shall be refundable in accordance with the provisions of any such county retirement system.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Agee	Barkett	Boles
Adams	Baker	Bassett	Boutwell
Adwell	Bank	Benton	Bowers

Brassell	Ellis	McBride	Smith (P)
Burgess	Erdreich	McCluskey	Snell
Carnes	Falkenburg	Mathews	Stewart
Carter	Fite	May	Stokes
Casey	Flippo	Meeks	Straiton
Cauthen	Gafford	Merrill	Stubbs
Cherner	Goodwin	Mims	Taylor
Chesnut	Grainger	Naramore	Therrell
Collins	Gray (F)	O'Daniel	Timmons
Connell	Grey (D)	Owens	Turner
Cottingham	Hale	Parker (H)	Turnham
Crawford	Hardin	Parker (T)	Waggoner
Cross	Harris	Perloff	Waldrop
Crowe	Headley	Pruitt	Wallace
Dill	Jackson	Reed (T)	Warren
Doss	Jones (E)	Reid (R)	Weeks
Downing	Jones (F)	Reynolds	Williams
Drake	King	St. John	Wood
Easters	Kinsey	Slate	Wynot
Edwards	Lutz	Smith (K)	

—91

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted to have his name added as co-sponsor to the bill, H. 23.

And the bill:

H. 24. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 5.

Yeas:

Mr. Speaker	Cottingham	Hardin	Parker (H)
Agee	Crawford	Harris	Parker (T)
Baker	Cross	Headley	Perloff
Bank	Crowe	Hearn	Pruitt
Barkett	Dill	Jackson	Reed (T)
Bassett	Doss	Jones (E)	Reid (R)
Benton	Downing	Jones (F)	Reynolds
Boutwell	Easters	King	St. John
Bowers	Edwards	Kinsey	Slate
Brassell	Erdreich	Lutz	Smith (K)
Burgess	Falkenburg	McBride	Smith (P)
Callahan	Fite	McCluskey	Snell
Carnes	Flippo	Mathews	Stewart
Carter	Gloor	May	Stokes
Casey	Goodwin	Merrill	Straiton
Cauthen	Grainger	Mims	Stubbs
Chesnut	Gray (F)	Naramore	Taylor
Collins	Grey (D)	O'Daniel	Therrell
Connell	Hale	Owens	Timmons

Turner	Waldrop	Weeks	Wood	
Turnham	Wallace	Williams	Wynot	
Waggoner	Warren	Wise		—87

Nays:

Messrs.:	Ellis	Hill	Meeks	
Boles	Gafford			—5

And the bill:

H. 26. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hearn	St. John	
Adwell	Cross	Hill	Slate	
Agee	Crowe	Jackson	Smith (K)	
Baker	Dill	Jones (E)	Smith (P)	
Bank	Doss	Jones (F)	Snell	
Barkett	Downing	Kinsey	Stewart	
Bassett	Drake	Lutz	Stokes	
Benton	Easters	McBride	Straiton	
Boles	Edwards	Mathews	Stubbs	
Boutwell	Ellis	May	Taylor	
Bowers	Erdreich	Meeks	Therrell	
Brassell	Falkenburg	Merrill	Timmons	
Burgess	Fite	Mims	Turner	
Callahan	Flippo	Naramore	Turnham	
Carnes	Gloor	O'Daniel	Waggoner	
Carter	Goodwin	Owens	Waldrop	
Casey	Grainger	Parker (H)	Wallace	
Cauthen	Gray (F)	Parker (T)	Warren	
Cherner	Grey (D)	Perloff	Weeks	
Chesnut	Hale	Pruitt	Williams	
Collins	Hardin	Reed (T)	Wise	
Connell	Harris	Reid (R)	Wood	
Cottingham	Headley	Reynolds	Wynot	
				—92

And the bill:

H. 52. To authorize any city having a population of 300,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the city suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, the county in which any such city is located, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such city may be joint lessee with such county or with any other municipality in such county and

that the obligations of any such city may be individual and separate or joint and several, to provide that the obligations of any such city under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such city under any such lease or contract in the budget of such city and that any such city shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, and to exempt any such contract or lease from all taxation and all other provisions of law with respect thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	St. John
Adams	Doss	Jones (E)	Slate
Adwell	Downing	Jones (F)	Smith (K)
Agee	Drake	King	Smith (P)
Baker	Easters	Kinsey	Snell
Bassett	Edwards	Lutz	Stewart
Benton	Ellis	McBride	Stokes
Boles	Erdreich	McCluskey	Straiton
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Gloor	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	O'Daniel	Turnham
Casey	Gray (F)	Owens	Waggoner
Cauthen	Grey (D)	Parker (H)	Waldrop
Cherner	Hale	Parker (T)	Wallace
Chesnut	Hardin	Perloff	Weeks
Collins	Harris	Pruitt	Williams
Connell	Headley	Reed (T)	Wise
Cottingham	Hearn	Reid (R)	Wood
Crawford	Hill	Reynolds	Wynot
Cross			

—89

And the bill:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	St. John
Adams	Dill	Jones (E)	Slate
Adwell	Doss	Jones (F)	Smith (K)
Agee	Downing	King	Smith (P)
Bank	Drake	Kinsey	Snell
Bassett	Easters	Lutz	Stewart
Benton	Edwards	McBride	Stokes
Boles	Ellis	McCluskey	Straiton
Boutwell	Erdreich	Mathews	Stubbs
Bowers	Falkenburg	May	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Gafford	Merrill	Timmons
Carnes	Gloor	Mims	Turner
Carter	Goodwin	Naramore	Turnham
Casey	Grainger	O'Daniel	Waggoner
Cauthen	Gray (F)	Owens	Waldrop
Cherner	Grey (D)	Parker (H)	Wallace
Chesnut	Hale	Parker (T)	Weeks
Collins	Hardin	Perloff	Williams
Connell	Harris	Pruitt	Wise
Cottingham	Headley	Reed (T)	Wood
Crawford	Hearn	Reid (R)	Wynot
Cross	Hill	Reynolds	—91

And the bill:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

Was taken up.

Messrs. Gloor and Jones (E) offered the following amendment to the bill:

Amend H. B. 58, both title and text, by deleting therefrom the words "twenty-five cents" wherever they appear, and inserting in lieu thereof the words "fifty cents".

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Coshatt
Adams	Benton	Casey	Cottingham
Adwell	Boles	Cauthen	Crawford
Agee	Bowers	Cherner	Cross
Bank	Brassell	Collins	Dill
Barkett	Burgess	Connell	Doss

Downing	Headley	O'Daniel	Straiton
Drake	Hearn	Owens	Stubbs
Easters	Hill	Parker (H)	Taylor
Edwards	Jackson	Parker (T)	Therrell
Ellis	Jones (E)	Perloff	Timmons
Erdreich	Jones (F)	Pruitt	Turner
Falkenburg	King	Reed (T)	Turnham
Flippo	Kinsey	Reynolds	Waggoner
Gloor	Lutz	St. John	Wallace
Goodwin	McBride	Slate	Warren
Grainger	McCluskey	Smith (K)	Weeks
Gray (F)	May	Smith (P)	Williams
Grey (D)	Meeks	Snell	Wise
Hale	Merrill	Stewart	Wood
Hardin	Mims	Stokes	Wynot
Harris	Naramore		

—86

And the bill, H. 58, as thus amended:

To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to fifty cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Smith (K)
Adams	Dill	Jones (F)	Smith (P)
Adwell	Doss	King	Snell
Agee	Downing	Kinsey	Stewart
Bank	Drake	Lutz	Stokes
Barkett	Easters	McBride	Straiton
Bassett	Edwards	McCluskey	Stubbs
Benton	Ellis	Mathews	Taylor
Boles	Erdreich	May	Therrell
Bowers	Falkenburg	Merrill	Timmons
Brassell	Fite	Mims	Turner
Burgess	Flippo	Naramore	Turnham
Carnes	Gloor	O'Daniel	Waggoner
Carter	Goodwin	Owens	Waldrop
Casey	Grainger	Parker (H)	Wallace
Cauthen	Gray (F)	Perloff	Warren
Cherner	Grey (D)	Pruitt	Weeks
Collins	Hale	Reed (T)	Williams
Connell	Hardin	Reynolds	Wise
Coshatt	Harris	St. John	Wood
Cottingham	Headley	Slate	Wynot
Crawford	Hill		

—86

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted to have his name added as co-sponsor to the bill, H. 58.

And the bill:

H. 88. Relating to counties having a population of not less than 150,000 nor more than 180,000; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue such tags for use on unmarked law enforcement vehicles without charge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	St. John
Adams	Dill	Jackson	Smith (K)
Agee	Doss	Jones (E)	Smith (P)
Barkett	Downing	Jones (F)	Snell
Bassett	Easters	King	Stewart
Benton	Edwards	Kinsey	Stokes
Boles	Ellis	Lutz	Straiton
Boutwell	Erdreich	McBride	Stubbs
Bowers	Falkenburg	McCluskey	Taylor
Brassell	Fite	Mathews	Therrell
Burgess	Flippo	May	Turner
Carnes	Gafford	Merrill	Turnham
Carter	Goodwin	Mims	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	O'Daniel	Wallace
Cherner	Grey (D)	Owens	Warren
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Perloff	Williams
Connell	Harris	Pruitt	Wise
Coshatt	Headley	Reed (T)	Wood
Cottingham	Hearn	Reynolds	Wynot
Crawford			

—85

And the bill:

H. 89. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that all county and municipal employees in such counties shall observe and be given the same holidays as state employees.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Cherner
Adams	Benton	Carnes	Chesnut
Agee	Boles	Carter	Collins
Baker	Boutwell	Casey	Connell
Barkett	Bowers	Cauthen	Coshatt

Cottingham	Gray (F)	Meeks	Straiton
Crawford	Grey (D)	Merrill	Stubbs
Cross	Hale	Mims	Taylor
Dill	Hardin	Naramore	Therrell
Doss	Headley	O'Daniel	Timmons
Downing	Hill	Owens	Turner
Drake	Jackson	Parker (H)	Turnham
Easters	Jones (E)	Perloff	Waggoner
Edwards	Jones (F)	Pruitt	Wallace
Ellis	King	Reed (T)	Warren
Erdreich	Kinsey	Reynolds	Weeks
Fite	Lutz	Smith (K)	Williams
Flippo	McBride	Smith (P)	Wise
Gafford	Mathews	Snell	Wood
Goodwin	May	Stokes	Wynot
Grainger			

—81

And the bill:

H. 70. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hearn	St. John
Adams	Cross	Hill	Slate
Adwell	Crowe	Jackson	Smith (K)
Agee	Dill	Jones (E)	Smith (P)
Baker	Doss	King	Snell
Bank	Downing	Kinsey	Stewart
Barkett	Drake	Lutz	Stokes
Bassett	Easters	McBride	Straiton
Benton	Edwards	McCluskey	Stubbs
Boles	Ellis	Mathews	Taylor
Boutwell	Erdreich	May	Therrell
Bowers	Falkenburg	Meeks	Timmons
Brassell	Fite	Merrill	Turner
Burgess	Flippo	Mims	Turnham
Carnes	Gafford	Naramore	Waggoner
Carter	Gloor	O'Daniel	Waldrop
Casey	Goodwin	Owens	Wallace
Cherner	Grainger	Parker (H)	Weeks
Chesnut	Gray (F)	Perloff	Williams
Collins	Hale	Pruitt	Wise
Connell	Hardin	Reed (T)	Wood
Coshatt	Harris	Reynolds	Wynot
Cottingham	Headley		

—90

And the bill:

H. 111. To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to pro-

vide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection," so as to change the membership of the coliseum authority created by this Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Slate
Adams	Cross	Jackson	Smith (K)
Adwell	Crowe	Jones (E)	Smith (P)
Agee	Doss	Jones (F)	Snell
Baker	Downing	King	Stewart
Bank	Drake	Kinsey	Stokes
Barkett	Easters	Lutz	Straiton
Bassett	Edwards	McBride	Stubbs
Benton	Ellis	McCluskey	Taylor
Boles	Erdreich	Mathews	Therrell
Boutwell	Falkenburg	May	Timmons
Bowers	Fite	Meeks	Turner
Brassell	Flippo	Merrill	Turnham
Burgess	Gafford	Mims	Waggoner
Carnes	Gloor	Naramore	Waldrop
Carter	Goodwin	O'Daniel	Wallace
Casey	Grainger	Owens	Warren
Cherner	Gray (F)	Parker (H)	Weeks
Chesnut	Grey (D)	Pruitt	Williams
Collins	Hale	Reed (T)	Wise
Connell	Harris	Reynolds	Wood
Coshatt	Headley	St. John	Wynot
Cottingham	Hearn		—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Shelby, Bailes, Branyon, Carr, Clark, Cooper Dominick, Edington, Fine Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Vacca, Weaver and Wilson:

S. J. R. 14. PROCLAIMING FRIDAY, DECEMBER 3, 1971, AS JOHNNY MUSSO DAY.

WHEREAS Johnny Musso, alias the Italian Stallion, is completing a brilliant season and career as a halfback for the University of Alabama football team; and

WHEREAS Johnny Musso, showing fantastic running ability has established numerous Southeastern Conference records during his career, including averaging 4.8 yards a carry for three seasons, a new record for 500 carries or more; his terrific endurance by carrying the ball 574 times in 30 games, an average of 19.1 rushes per game; amassing a yardage per game average of 91.4 yards; became the Conference rushing champion for the second year in a row by rushing for 1,088 yards and 16 touchdowns and by gaining a total of 2,741 yards in his career; and

WHEREAS Johnny Musso through his gritty determination and abundant rushing ability has been voted as the co-holder of the Southeastern Conference Player of the Year in the Nashville Banner's 38th annual poll of SEC coaches; and

WHEREAS Johnny Musso has been selected as a consensus member of the All Southeastern Conference and All American offensive teams for the season of 1971; and

WHEREAS Johnny Musso has brought national attention to his home State of Alabama through his feats on the football field; and

WHEREAS Johnny Musso has carried on the fabulous tradition that is so much a part of the University of Alabama football team; and

WHEREAS Johnny Musso has further demonstrated his all-around ability by maintaining an "A" average in the classroom majoring in pre-Law. This achievement earned him the distinction of being selected as a member of the Academic All-American Team; and

WHEREAS Johnny Musso has carried himself with the poise and leadership that is so much a part of a young southern gentleman's heritage; and

WHEREAS this fine young athlete is entitled to proper recognition from his appreciative home State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature, with the approval of the Governor, does set aside Friday, December 3, 1971 as "Johnny Musso Day" in honor of this outstanding young athlete-scholar.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Johnny Musso.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 14, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 40. URGING THE MOBILE COUNTY SCHOOL BOARD AND SUPERINTENDENT OF SCHOOLS TO SUPPORT THE CONSTITUTIONALITY OF ACT NO. 1418 APPROVED SEPTEMBER 23, 1971.

WHEREAS Act No. 1418 was approved September 23, 1971, and provides that no student shall be denied admission to any public school in this state, when in the determination of such child's parents or legal guardian, the time or distance is so great as to risk the health or safety of the child or significantly impinge on the educational process; and

WHEREAS Act No. 1418 approved September 23, 1971, also provides that upon the determination being made that the time or distance of travel to another school is go great as to risk the health or safety of the child or significantly impinge on the educational process, the parent or guardian shall make written application to the authorities of the school to which the child is to be admitted, and the school authorities shall thereupon admit said child; and

WHEREAS the constitutionality of Act No. 1418 has been upheld by two (2) state courts; and

WHEREAS this act uses the language of the Charlotte-Mecklenburg Case by Chief Justice Warren Burger that a valid objection to transportation of public school students has standing when it is determined that the time or distance of travel is so great as to risk the health or safety of the student or significantly impinge on the educational process; and

WHEREAS under these state court decisions, the school board and superintendent are fully protected; and

WHEREAS the Mobile County School Board and Superintendent have voluntarily invoked the jurisdiction of the federal court in Mobile to again draw into question the constitutionality of Act No. 1418; and

WHEREAS this legislature urges the Mobile County School Board and Superintendent to support the constitutionality of this law to the very fullest extent, and

WHEREAS it has always been the desire of this legislature to labor strenuously for the advancement of education; and

WHEREAS we solemnly believe the motto of this great state, "We dare defend our rights", now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature urges the Mobile School Board and Superintendent to support the constitutionality of Act No. 1418 to the very fullest extent and in the event of an adverse ruling, to appeal such decision to the highest court in the land.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Mobile County School Board and Superintendent of Schools.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. J. R. 40, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. King, Bailes, Branyon, Clark, Dominick, Dozier, Fine, Foshee, Gilmore, Givhan, Hammond, Hawkins, Jones, Littleton, Lybrand, Noonan, O'Bannon, Pelham, Pierce, Shelby and Vacca:

S. J. R. 15. WHEREAS our own Livingston University at Livingston, Alabama, and Arkansas Tech, Russellville, Arkansas, have by virtue of attaining distinctive success in their respective football seasons in 1971, been selected by the National Association of Inter-Collegiate Athletics to play in its championship game on Saturday, December 11, 1971; and

WHEREAS, the City of Birmingham has been honored in that Legion Field has been selected as the site for the championship game of smaller universities of our Nation; and

WHEREAS, the people of Alabama are proud of the football accomplishments of Livingston University this year; and

WHEREAS, the people of the City of Birmingham, and, indeed, all of Alabama, look forward to hosting these two fine football teams,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

THAT, personal congratulations and commendations are extended to each coach and player of both Livingston University and Arkansas Tech for their individual and collective successes during the 1971 football season.

BE IT FURTHER RESOLVED that the president of each of these outstanding institutions be assured that Birmingham and Alabama look forward with pleasure to hosting this event of significance to our State and Nation.

BE IT FURTHER RESOLVED that the Secretary of the Senate send to the president of each such institution of higher learning a copy of this Resolution.

SENATE MESSAGE

On motion of Mr. Pruitt, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 15, set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions introduced on the Second Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 23. COMMENDING TOM SURLAS FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

H. J. R. 27. COMMENDING JIM KRAPF FOR WINNING ALL-AMERICAN HONORS.

H. J. R. 29. COMMENDING JOHNNY MUSSO FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

On motion of Mr. Gloor, the resolutions, H. J. R. 23, H. J. R. 27 and H. J. R. 29, were adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 35. Relative to adjournment of the two Houses.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Horne:

S. J. R. 4. WHEREAS, Mr. James Lebus Casey passed away on November 24th of this year; and

WHEREAS, Mr. James Lebus Casey was the father of our distinguished colleague, Representative John Casey; and

WHEREAS, Mr. Casey had lived a long and active life of 73 years and was one of the distinguished citizens of the City of Heflin and Cleburne County; and

WHEREAS, Mr. Casey will be greatly mourned by the citizens of this State, the members of this Legislature and his family; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does greatly mourn the passing of Mr. James Lebus Casey and does pass this resolution as a memorial to his outstanding life.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 4, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Horne, Jones, King, Littleton, Lybrand, Malone, Noonan, Owen, Pelham, Pierce, Register, Shelby, Vacca and Wilder:

S. J. R. 9. WHEREAS two of our outstanding state institutions of higher learning, Alabama and Auburn, have had highly successful football seasons, each coming to their annual confrontation for the first time in their long and rich history of competition with unblemished records against formidable opponents; and

WHEREAS, as a result of the established football national leadership of each, recognition has been given them by their selection to play in major post season games, the Orange and Sugar Bowls, respectively; and

WHEREAS, all the people of Alabama have great personal pride in the splendid records of accomplishment of each team; and

WHEREAS, it is realized that such successes could not be achieved without unusual dedication, desire, enthusiasm, hard work and zeal, all essential ingredients to success in later life,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

THAT, personal congratulations and commendations are extended to each coach and player of the University of Alabama and Auburn University for their individual and collective successes during the 1971 football season.

BE IT FURTHER RESOLVED that best wishes are extended to each team as they prepare mentally and physically to engage the University of Nebraska and the University of Oklahoma, respectively, on New Years Day, 1972.

BE IT FURTHER RESOLVED that the Secretary of the Senate is requested to send to each coach and player of each such higher learning institution a copy of this Resolution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 9, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Horne, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Fine, Foshee, Gilmore, Givhan, Harris, Jones, King, Littleton, Lybrand, Malone, Noonan, Owen, Pelham, Pierce, Register, Shelby, Vacca and Wilder:

S. J. R. 5. WHEREAS on November 25, 1971 Pat Sullivan of Auburn University was selected as the 1971 winner of the Heisman Trophy; and

WHEREAS, Auburn University and the State of Alabama have received national recognition as the home of the 1971 Heisman Trophy winner; and

WHEREAS, the 1971 Heisman Trophy winner, Pat Sullivan, represents the very best in college football on and off the field and he has shown himself to be a person of great dignity and humility; and

WHEREAS, Pat Sullivan has brought good will and honor to the State of Alabama as the first and only Alabamian ever to win the coveted Heisman Trophy; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ABALAMA, BOTH HOUSES CONCURRING, That we congratulate Pat Sullivan on his selection as the finest college football player in America and commend him for the prominence he has attained and for the honor he has brought upon this State.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Pat Sullivan, Coach Ralph Jordan, Athletic Director Jeff Beard and Dr. Harry Philpott.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 5, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 50. To amend Section 5 of Act No. 2307 of 1971 Regular Session relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

Also:

By Mr. Fine:

S. 3. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 50. Standing Committee on Ways and Means.

S. 3. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Carr:

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

Also:

By Mr. Shelby:

S. 7. To repeal Section 10, and to amend Sections 2, 4, 9, 11, 12 and 16, of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by revising the methods of budgeting and financing of said office.

Also:

By Mr. Malone:

S. 23. To authorize county solid waste and park and recreation authorities in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to pay to the county health officer or his administrative assistant a monthly expense allowance.

Also:

By Mr. Littleton:

S. 36. Relating to counties having a population of not less than 24,000 nor more than 24,800 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Mr. Wilder:

S. 38. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Also:

By Mr. Wilder:

S. 39. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state com-

posed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Also:

By Mr. Foshee:

S. 52. To amend further Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties having a population of not less than 13,000 nor more than 13,250.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 5. Standing Committee on Local Legislation No. 1.

S. 7. Standing Committee on Local Legislation No. 1.

S. 23. Standing Committee on Local Legislation No. 1.

S. 36. Standing Committee on Local Legislation No. 1.

S. 38. Standing Committee on Local Legislation No. 1.

S. 39. Standing Committee on Local Legislation No. 1.

S. 52. Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

And the bill:

H. 56. (With Amendments): Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

Was taken up.

The question, then, was on the adoption of the amendment # 1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 by deleting the first line of the second paragraph which reads: "Section 217(a).—The property of private corporations," and substituting therefor the following: "Section 217. The property of all corporations,"

And the amendment was adopted.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker	Adwell	Baker	Barkett
Adams	Agee	Bank	Bassett

Benton	Edwards	Kinsey	St. John
Boles	Ellis	Lang	Slate
Boutwell	Erdreich	Lutz	Smith (K)
Bowers	Falkenburg	McBride	Smith (P)
Brassell	Fite	McCluskey	Snell
Burgess	Flippo	McCorquodale	Stewart
Carnes	Gafford	McDonald	Stokes
Carter	Gloor	Mathews	Straiton
Casey	Goodwin	May	Stubbs
Chesnut	Grainger	Merrill	Taylor
Collins	Gray (F)	Mims	Timmons
Connell	Grey (D)	Naramore	Turner
Coshatt	Hale	Nettles	Waggoner
Cottingham	Hardin	O'Daniel	Waldrop
Crawford	Harris	Owens	Wallace
Cross	Headley	Parker (T)	Warren
Crowe	Hearn	Perloff	Weeks
Culver	Hill	Pruitt	Williams
Dill	Jackson	Reed (T)	Wise
Downing	Jones (E)	Reid (R)	Wood
Drake	Jones (F)	Reynolds	Wynot
Easters	King		—94

Nay: Mr. Cauthen. —1

The question, then, was on the adoption of the amendment # 2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 by deleting from the third paragraph the sentence therein which reads: "The legislature is authorized to adopt legislation with respect to the weight to be given to unrealized speculative values in determining the fair and reasonable market value of property."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Reynolds
Adams	Crowe	Kinsey	St. John
Agee	Culver	Lang	Slate
Baker	Downing	Lutz	Smith (K)
Bank	Drake	McCluskey	Smith (P)
Barkett	Easters	McCorquodale	Snell
Bassett	Edwards	McDonald	Stewart
Benton	Erdreich	Mathews	Stokes
Bowers	Falkenburg	May	Straiton
Brassell	Fite	Merrill	Stubbs
Burgess	Gafford	Mims	Taylor
Carnes	Goodwin	Naramore	Therrell
Carter	Grainger	Nettles	Turner
Casey	Gray (F)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Perloff	Williams
Connell	Headley	Pruitt	Wise
Coshatt	Hearn	Reed (T)	Wood
Cottingham	Jackson	Reid (R)	Wynot
Crawford	Jones (F)		—82

The question, then, was on the adoption of the amendment # 3 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 by adding at the beginning of the third paragraph which paragraph begins with the words: "The legislature shall have the power," etc., the following sentence: "Provided, however, that in no instance shall the amount of ad valorem taxes levied against real property devoted to residential use exceed one and two tenths (1.2) percent of the fair and reasonable market value of such property."

And the amendment was adopted.

Yeas 75; Nays 8.

Yeas:

Mr. Speaker	Crawford	Jones (F)	St. John	
Adams	Cross	King	Slate	
Agee	Crowe	Kinsey	Smith (K)	
Baker	Culver	Lang	Smith (P)	
Bank	Downing	Lutz	Snell	
Barkett	Drake	McCorquodale	Stewart	
Bassett	Easters	McDonald	Straiton	
Benton	Edwards	Mathews	Stubbs	
Brassell	Fite	May	Taylor	
Burgess	Gafford	Merrill	Therrell	
Carnes	Goodwin	Mims	Timmons	
Carter	Grainger	Naramore	Turner	
Casey	Gray (F)	O'Daniel	Waldrop	
Cauthen	Hale	Owens	Warren	
Chesnut	Hardin	Parker (T)	Williams	
Collins	Harris	Perloff	Wise	
Connell	Headley	Reed (T)	Wood	
Coshatt	Hearn	Reid (R)	Wynot	
Cottingham	Jackson	Robertson		—75

Nays:

Messrs.:	Doss	Falkenburg	Nettles	
Cherner	Erdreich	McCluskey	Stokes	
Dill				—8

The question, then, was on the adoption of the amendment # 4 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 by adding immediately following the third paragraph which paragraph ends with the words: "religious, educational or charitable purposes." the following paragraph:

"Fair Market Value", meaning of—The intent and purpose of the tax laws of this State are to have all property and subjects of taxation assessed at the value which the particular property bears for the uses and purposes to which it is being devoted at the time the valuation or assessment thereof is made by the assessors. The value thus assessed shall be that value which would be realized from such property by a cash sale thereof when sold as such property and subjects of taxation are usually sold but not by forced sale thereof and only when sold to one purchasing solely for the purpose of using such property for the particular purposes for which it is being devoted at the

time of the assessment or valuation and property for the use to which it is being devoted. It is declared to be the further purpose and intent of the tax laws of this State that the assessors, whether municipal, county or state, in fixing the value of or in assessing tangible property for the purpose of taxation in this State shall in no case take into consideration the value which such property would have for prospective, future, potential, or speculative use but shall consider only the fair market value which such property would have when sold for the use to which it is being devoted at the time of the assessment."

And the amendment was adopted.

Yeas 76; Nays 16.

Yeas:

Mr. Speaker	Cross	Kinsey	St. John
Agee	Crowe	Lang	Slate
Baker	Culver	McCluskey	Smith (K)
Bank	Downing	McCorquodale	Smith (P)
Barkett	Easters	McDonald	Snell
Bassett	Edwards	Mathews	Stewart
Benton	Ellis	May	Stokes
Brassell	Erdreich	Merrill	Straiton
Burgess	Fite	Mims	Stubbs
Carnes	Goodwin	Naramore	Therrell
Carter	Gray (F)	Nettles	Turner
Casey	Grey (D)	O'Daniel	Turnham
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Parker (T)	Warren
Collins	Headley	Perloff	Weeks
Connell	Hearn	Pruitt	Williams
Coshatt	Hobbie	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wood
Crawford	Jones (F)	Robertson	Wynot

—76

Nays:

Messrs.:	Cherner	Grainger	Meeks
Adams	Dill	King	Parker (H)
Adwell	Falkenburg	Lutz	Taylor
Boutwell	Gafford	McBride	Timmons
Bowers			

—16

The question, then, was on the adoption of the amendment #5 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 56 by adding the following sentence on page 2, of the bill, after the last sentence of Section 1:

"Class V. However, any timberlands used exclusively for commercial purposes shall be assessed at 25 per cent."

And the amendment was adopted.

Yeas 72; Nays 10.

Yeas:

Messrs.:	Agee	Bank	Benton
Adams	Baker	Barkett	Bowers

Brassell	Edwards	McCluskey	Slate
Burgess	Falkenburg	McCorquodale	Smith (P)
Carnes	Fite	McDonald	Snell
Carter	Gafford	Merrill	Stewart
Casey	Goodwin	Naramore	Stokes
Cauthen	Grainger	Nettles	Straiton
Cherner	Gray (F)	Owens	Stubbs
Chesnut	Grey (D)	Parker (H)	Taylor
Connell	Harris	Parker (T)	Therrell
Coshatt	Headley	Perloff	Timmons
Cottingham	Hearn	Pruitt	Turner
Crawford	Jones (F)	Reed (T)	Turnham
Cross	King	Reid (R)	Waldrop
Crowe	Lang	Reynolds	Weeks
Culver	Lutz	Robertson	Williams
Dill	McBride	St. John	Wynot
Downing			—72

Nays:

Mr. Speaker	Collins	Hobbie	O'Daniel
Adwell	Erdreich	May	Smith (K)
Bassett	Hale		—10

Mr. Lutz offered the following substitute to the bill, H. 56, as amended:

SYNOPSIS: Proposing an amendment to the State Constitution in relation to ad valorem taxes, giving the Legislature the authority to classify property.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama, 1901, relative to ad valorem taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama, 1901, is proposed to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

The Legislature is empowered to classify various types of tangible and intangible property for the purpose of taxation and to fix percentages of fair and reasonable market value of the property in the several classes at which such property shall be valuated and taxes thereon assessed.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Section 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama, 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be pub-

lished once a week for four successive weeks, next preceeding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

SUBSTITUTE TABLED

On motion of Mr. McCorquodale, the substitute offered by Mr. Lutz to the bill, H. 56, as amended, was tabled.

Yeas 60; Nays 42.

Yeas:

Mr. Speaker	Connell	Headley	Reid (R)
Agee	Coshatt	Hobbie	Reynolds
Baker	Cottingham	Jackson	Robertson
Bank	Crawford	Kinsey	Slate
Barkett	Cross	Lang	Smith (K)
Bassett	Crowe	McCorquodale	Smith (P)
Benton	Culver	McDonald	Snell
Brassell	Downing	Mathews	Stubbs
Burgess	Drake	May	Turner
Callahan	Easters	Merrill	Turnham
Carnes	Edwards	Mims	Waldrop
Carter	Fite	Naramore	Warren
Casey	Goodwin	O'Daniel	Williams
Chesnut	Grey (D)	Owens	Wise
Collins	Hardin	Pruitt	Wynot

—60

Nays:

Messrs.:	Erdreich	Jones (F)	Stewart
Adams	Falkenburg	King	Stokes
Adwell	Flippo	Lutz	Straiton
Boles	Gafford	McBride	Taylor
Boutwell	Gloor	Meeks	Therrell
Bowers	Grainger	Nettles	Timmons
Cauthen	Gray (F)	Parker (H)	Waggoner
Cherner	Hale	Parker (T)	Wallace
Dill	Hearn	Perloff	Weeks
Doss	Hill	Reed (T)	Wood
Ellis	Jones (E)	St. John	

—42

Mr. Grainger offered the following amendment to the bill, H. 56, as amended:

Amend Section 1 of House Bill No. 56 by striking the words "Class IV —All real property devoted to residential use, twenty percent;" and substitute in lieu thereof the following:

"Class IV—All real property devoted to residential use, twenty-five percent;"

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Grainger was tabled.

Yeas 70; Nays 33.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reynolds
Adams	Crawford	Jackson	Robertson
Agee	Cross	Kinsey	Slate
Baker	Crowe	Lang	Smith (K)
Bank	Culver	McCluskey	Smith (P)
Barkett	Downing	McCorquodale	Snell
Bassett	Drake	McDonald	Stewart
Benton	Easters	Mathews	Straiton
Brassell	Edwards	May	Stubbs
Burgess	Fite	Merrill	Taylor
Callahan	Flippo	Mims	Turner
Carnes	Goodwin	Naramore	Waldrop
Carter	Gray (F)	O'Daniel	Warren
Casey	Grey (D)	Owens	Williams
Chesnut	Hardin	Perloff	Wise
Collins	Harris	Pruitt	Wood
Connell	Headley	Reid (R)	Wynot
Coshatt	Hill		—70

Nays:

Messrs.:	Ellis	Jones (F)	Reed (T)
Adwell	Erdreich	King	St. John
Boles	Falkenburg	Lutz	Stokes
Boutwell	Gafford	McBride	Timmons
Bowers	Gloor	Meeks	Turnham
Cauthen	Grainger	Nettles	Waggoner
Cherner	Hale	Parker (H)	Wallace
Dill	Hearn	Parker (T)	Weeks
Doss	Jones (E)		—33

Mr. Robertson offered the following amendment to the bill, H. 56, as amended:

Amend Section 1 (Section 217(a) of House Bill No. 56 by adding after class V the following:

"Class VI—All lands used for the growing of cabbages—5%."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Robertson was tabled.

Yeas 78; Nays 9.

Yeas:

Mr. Speaker	Burgess	Crawford	Goodwin
Adams	Callahan	Cross	Grainger
Agee	Carnes	Crowe	Gray (F)
Baker	Carter	Culver	Grey (D)
Bank	Casey	Dill	Hale
Barkett	Chesnut	Downing	Hardin
Bassett	Collins	Drake	Harris
Benton	Connell	Easters	Headley
Boutwell	Coshatt	Edwards	Hobbie
Brassell	Cottingham	Fite	Jackson

Jones (F)	Mims	St. John	Therrell
King	Naramore	Smith (K)	Turner
Kinsey	Nettles	Smith (P)	Turnham
Lang	O'Daniel	Snell	Waldrop
Lutz	Owens	Stewart	Warren
McCorquodale	Perloff	Stokes	Williams
McDonald	Pruitt	Straiton	Wise
Mathews	Reid (R)	Stubbs	Wood
May	Reynolds	Taylor	Wynot
Merrill	Robertson		—78

Nays:

Messrs.:	Flippo	McBride	Parker (H)
Cauthen	Gafford	Meeks	Slate
Cherner	Hill		—9

Mr. Adams offered the following amendment to the bill, H. 56, as amended:

Amend H. 56 by striking out Class V in section one in its entirety and adding the following:

Class V—All farmlands, including lands reserved for reforestation or for growing timber, 20 per cent. However, any lands used for growing timber for commercial purposes shall be taxed at 25 per cent.

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Adams was tabled.

Yeas 62; Nays 38.

Yeas:

Mr. Speaker	Coshatt	Jackson	Reynolds
Agee	Cottingham	Jones (F)	Robertson
Baker	Crawford	Kinsey	St. John
Bank	Cross	Lang	Slate
Barkett	Culver	McCluskey	Smith (K)
Bassett	Downing	McCorquodale	Smith (P)
Benton	Drake	McDonald	Snell
Brassell	Easters	Mathews	Straiton
Burgess	Edwards	May	Stubbs
Callahan	Fite	Merrill	Turner
Carnes	Goodwin	Mims	Waldrop
Carter	Grey (D)	O'Daniel	Warren
Casey	Hardin	Owens	Williams
Chesnut	Headley	Pruitt	Wise
Collins	Hearn	Reid (R)	Wynot
Connell	Hobbie		—62

Nays:

Messrs.:	Cauthen	Erdreich	Harris
Adams	Cherner	Falkenburg	Hill
Adwell	Crowe	Flippo	Jones (E)
Boles	Dill	Gafford	King
Boutwell	Doss	Gloor	McBride
Bowers	Ellis	Hale	Meeks

Naramore	Perloff	Therrell	Wallace	
Nettles	Stewart	Timmons	Weeks	
Parker (H)	Stokes	Turnham	Wood	
Parker (T)	Taylor	Waggoner		—38

MOTION TO RECESS LOST

The motion of Mr. Grainger that the House recess for thirty minutes was lost.

Yeas 34; Nays 67.

Yeas:

Messrs.:	Ellis	Jones (E)	Reed (T)	
Adams	Erdreich	King	Straiton	
Adwell	Falkenburg	Lutz	Timmons	
Boles	Gafford	McBride	Turnham	
Boutwell	Gloor	Meeks	Waggoner	
Bowers	Grainger	Nettles	Wallace	
Cherner	Hale	Parker (H)	Weeks	
Dill	Hearn	Parker (T)	Wood	
Doss	Hill	Perloff		—34

Nays:

Mr. Speaker	Coshatt	Hobbie	Robertson	
Agee	Cottingham	Jackson	St. John	
Baker	Crawford	Kinsey	Slate	
Bank	Cross	Lang	Smith (K)	
Barkett	Crowe	McCluskey	Smith (P)	
Bassett	Culver	McCorquodale	Snell	
Benton	Downing	McDonald	Stokes	
Brassell	Drake	Mathews	Stubbs	
Burgess	Easters	May	Taylor	
Callahan	Edwards	Merrill	Therrell	
Carnes	Fite	Mims	Turner	
Carter	Goodwin	Naramore	Waldrop	
Casey	Gray (F)	O'Daniel	Warren	
Cauthen	Grey (D)	Owens	Williams	
Chesnut	Hardin	Pruitt	Wise	
Collins	Harris	Reid (R)	Wynot	
Connell	Headley	Reynolds		—67

H. 56 RESUMED

Mr. Grainger offered the following amendment to the bill, H. 56, as amended:

Amend Section 1 of House Bill No. 56 by striking the words "Class IV —All real property devoted to residential use, twenty percent;" and substitute in lieu thereof the following:

"Class IV—All real property devoted to residential use, twenty-four percent;"

MOTION TO ADJOURN LOST

The motion of Mr. Adwell that the House adjourn until 2:00 o'clock p. m., Tuesday, December 7, 1971, was lost.

Yeas 27; Nays 70.

Yeas:

Messrs.:	Doss	Lutz	Taylor
Adams	Erdreich	McBride	Therrell
Adwell	Falkenburg	Meeks	Timmons
Boutwell	Gafford	Parker (H)	Waggoner
Bowers	Gloor	Perloff	Wallace
Cherner	Grainger	Reed (T)	Weeks
Dill	King	Stokes	Wood

—27

Nays:

Mr. Speaker	Cottingham	Hobbie	Pruitt
Agee	Crawford	Jackson	Reid (R)
Baker	Cross	Jones (F)	Reynolds
Bank	Crowe	Kinsey	Robertson
Barkett	Culver	Lang	St. John
Bassett	Downing	McCluskey	Slate
Benton	Easters	McCorquodale	Smith (K)
Brassell	Edwards	McDonald	Smith (P)
Burgess	Fite	Mathews	Snell
Callahan	Flippo	May	Stewart
Carnes	Goodwin	Merrill	Straiton
Carter	Grey (D)	Mims	Stubbs
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Warren
Chesnut	Harris	O'Daniel	Williams
Collins	Headley	Owens	Wise
Connell	Hearn	Parker (T)	Wood
Coshatt	Hill		

—70

H. 56 RESUMED

On motion of Mr. McCorquodale, the amendment previously offered by Mr. Grainger was tabled.

Yeas 66; Nays 34.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reynolds
Agee	Crawford	Jones (F)	Robertson
Baker	Cross	Kinsey	St. John
Bank	Crowe	Lang	Slate
Barkett	Culver	McCluskey	Smith (K)
Bassett	Downing	McCorquodale	Smith (P)
Benton	Drake	McDonald	Snell
Brassell	Easters	Mathews	Stewart
Burgess	Edwards	May	Straiton
Callahan	Fite	Merrill	Stubbs
Carnes	Goodwin	Mims	Turner
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	O'Daniel	Warren
Chesnut	Hardin	Owens	Williams
Collins	Harris	Pruitt	Wise
Connell	Headley	Reid (R)	Wynot
Coshatt	Hobbie		

—66

Nays:

Messrs.:	Doss	Hill	Perloff	
Adams	Erdreich	Jones (E)	Reed (T)	
Adwell	Falkenburg	King	Stokes	
Boles	Flippo	Lutz	Therrell	
Boutwell	Gafford	McBride	Timmons	
Bowers	Gloor	Meeks	Waggoner	
Cauthen	Grainger	Nettles	Wallace	
Cherner	Hale	Parker (H)	Wood	
Dill	Hearn	Parker (T)		—34

Mr. Erdreich offered the following amendment to the bill, H. 56, as amended:

Amend Section 1 of H. 56 by adding at the end of said Section the following paragraph:

Provided, however, notwithstanding the provisions of this Amendment, the County governing body of Jefferson County shall have the authority to establish a uniform assessment percentage applicable to all classes of property for the purpose of computing all such taxes within the County except the state tax, which uniform assessment rate shall not exceed thirty percent.

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Erdreich was tabled.

Yeas 54; Nays 41.

Yeas:

Mr. Speaker	Connell	Hobbie	Pruitt	
Adams	Coshatt	Jackson	Reid (R)	
Agee	Crawford	Kinsey	Reynolds	
Baker	Cross	Lang	Robertson	
Barkett	Crowe	McCorquodale	Slate	
Bassett	Culver	McDonald	Smith (K)	
Benton	Downing	Mathews	Snell	
Brassell	Drake	May	Stubbs	
Burgess	Easters	Merrill	Turner	
Callahan	Fite	Mims	Turnham	
Carter	Goodwin	Naramore	Warren	
Casey	Grey (D)	O'Daniel	Williams	
Chesnut	Hardin	Owens	Wise	
Collins	Headley			—54

Nays:

Messrs.:	Ellis	Jones (E)	Stewart	
Adwell	Erdreich	King	Stokes	
Boles	Falkenburg	Lutz	Taylor	
Boutwell	Flippo	McBride	Therrell	
Bowers	Gafford	Meeks	Timmons	
Carnes	Gloor	Parker (H)	Waggoner	
Cauthen	Grainger	Parker (T)	Waldrop	
Cherner	Hale	Perloff	Wallace	
Cottingham	Harris	Reed (T)	Wood	
Dill	Hearn	St. John	Wynot	
Doss	Hill			—41

And the bill, H. 56, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 33.

Yeas:

Mr. Speaker	Crawford	Jackson	Robertson
Agee	Cross	Jones (F)	St. John
Baker	Crowe	Kinsey	Slate
Bank	Culver	Lang	Smith (K)
Barkett	Downing	McCluskey	Smith (P)
Bassett	Drake	McCorquodale	Snell
Benton	Easters	McDonald	Stewart
Brassell	Edwards	Mathews	Straiton
Burgess	Fite	May	Stubbs
Callahan	Flippo	Merrill	Taylor
Carnes	Goodwin	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Warren
Collins	Harris	Pruitt	Williams
Connell	Headley	Reed (T)	Wise
Coshatt	Hill	Reid (R)	Wynot
Cottingham	Hobbie	Reynolds	—71

Nays:

Messrs.:	Doss	Jones (E)	Perloff
Adams	Ellis	King	Stokes
Adwell	Erdreich	Lutz	Therrell
Boles	Falkenburg	McBride	Timmons
Boutwell	Gafford	Meeks	Waggoner
Bowers	Gloor	Nettles	Wallace
Cauthen	Grainger	Parker (H)	Weeks
Cherner	Hale	Parker (T)	Wood
Dill	Hearn		—33

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Horne:

S. 40. Relating to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operation of schools and solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Department of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Department of Education and providing penalties for violations.

Also:

By Messrs. Noonan and Pelham:

S. 59. To authorize the county governing bodies in counties having a population of not less than 300,000 nor more than 500,000, according to the

last or any future federal census, to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Also:

By Messrs. Bailes, Gilmore, King and Cook:

S. 35. To amend Section 1 of Act No. 206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Also:

By Mr. Dominick:

S. 27. To amend Section 2, 3, 4, 5 and 6 of Act No. 2271 of the 1971 Regular Session of the Legislature of Alabama which Act relates to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 40. Standing Committee on Education.

S. 59. Standing Committee on Local Legislation No. 3.

S. 35. Standing Committee on Local Legislation No. 2.

S. 27. Standing Committee on Local Legislation No. 2.

BILLS ON THIRD READING RESUMED

And the bill:

H. 57 (with amendments). To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state and county ad valorem taxes not to exceed two thousand dollars ($2,000) in assessed value for state tax purposes and one thousand dollars ($1,000) in assessed value for county tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to establish a classification system of property taxation and fix assessment rates for each class of property; to amend Title 51, Section 2(m), Code of Alabama 1940, so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2(q), Code of Alabama 1940, so as to ex-

empt all household furniture, fixtures and personal effects and to add to Section 2 as Subsection (t) the following: "Inventories of goods, wares and merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars ($10,000) in assessed value"; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Was taken up.

The question, then, was on the adoption of the amendment #1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 57, Section 2, subsection 17(a), Class IV, by inserting after the word "use" the following:

"And mobile homes used for residential purposes, whether or not located on property owned by the mobile home owner,"

And the amendment was adopted.

Yeas 89; Nays 9.

Yeas:

Mr. Speaker	Dill	Jones (F)	St. John
Adams	Doss	King	Slate
Agee	Downing	Kinsey	Smith (K)
Baker	Drake	Lang	Smith (P)
Bank	Easters	McCluskey	Snell
Barkett	Edwards	McCorquodale	Stewart
Bassett	Fite	McDonald	Stokes
Benton	Flippo	Mathews	Straiton
Brassell	Gafford	May	Stubbs
Burgess	Goodwin	Merrill	Taylor
Callahan	Grainger	Mims	Therrell
Carnes	Gray (F)	Naramore	Timmons
Carter	Grey (D)	Nettles	Turner
Casey	Hale	O'Daniel	Turnham
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (T)	Wallace
Collins	Headley	Perloff	Warren
Connell	Hearn	Pruitt	Weeks
Coshatt	Hill	Reed (T)	Williams
Cottingham	Hobbie	Reid (R)	Wise
Cross	Jackson	Reynolds	Wood
Crowe	Jones (E)	Robertson	Wynot
Culver			—89

Nays:

Messrs.:	Cherner	Lutz	Parker (H)
Boles	Erdreich	McBride	Waggoner
Boutwell	Gloor		—9

The question, then, was on the adoption of the amendment # 2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 2 by deleting subparagraph (b) which subparagraph commences with the words: "The term 'farm land'," etc., and ends with the words: "from any such plant or animal." and substituting therefor the following:

(b) "farm lands" shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, fur bearing animals, honey bees and fish or for dairying and the sale of dairy products or for the growing and the sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof.

Also amend Section 2 by adding immediately following subparagraph (c) which subparagraph ends with the words: "or farm lands", the following subparagraphs:

(d) "real property of public utilities" shall include all real property owned by those organizations commonly known as public utilities, which organizations are employed in rendering services to the public and includes, but is not limited to, railroad and street railroad companies, telephone and telegraph companies, gas, electric, hydroelectric, water, and sewage companies.

(e) "real property devoted to residential use" shall include real property used as a dwelling or place of abode by the owner thereof.

(f) "real property" shall include not only land, city, town and village lots, but also all other things thereunto pertaining, and all structures, and all things so annexed or attached thereto as to pass to a vendee by a conveyance of the land or lot.

(g) "tangible and intangible personal property" shall include all property other than real property, which has any pecuniary value, investment in bonds, stocks, joint stock companies or otherwise.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	Mims
Adams	Cottingham	Grey (D)	Naramore
Agee	Crawford	Hale	Nettles
Baker	Cross	Hardin	O'Daniel
Bank	Crowe	Harris	Owens
Barkett	Culver	Headley	Parker (H)
Bassett	Dill	Hearn	Parker (T)
Benton	Doss	Hill	Perloff
Boutwell	Downing	Hobbie	Pruitt
Brassell	Drake	Jackson	Reed (T)
Burgess	Easters	Jones (F)	Reid (R)
Callahan	Edwards	King	Reynolds
Carnes	Ellis	Kinsey	Robertson
Carter	Erdreich	Lutz	St. John
Casey	Falkenburg	McCluskey	Slate
Cauthen	Fite	McCorquodale	Smith (K)
Cherner	Flippo	McDonald	Smith (P)
Chesnut	Gafford	Mathews	Snell
Collins	Goodwin	May	Stewart
Connell	Grainger	Merrill	Stokes

Straiton	Timmons	Wallace	Williams	
Stubbs	Turner	Warren	Wise	
Taylor	Turnham	Weeks	Wynot	
Therrell	Waldrop			—94

The question, then, was on the adoption of the amendment # 3 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend the title by deleting lines twelve through seventeen which commence with the words: "to amend Title 51, Section 2 (q)," etc., and conclude with the words: "in assessed value'; to amend Title" and substituting therefor the following: "to amend Title 51, Section 2 to provide for exemption from ad valorem taxation of farming tools and farm implements, all personal property (other than motor vehicles, trailers and semi-trailers) not used in a trade or business or for the production of income, and stocks of goods, wares and merchandise to the value of thirty thousand dollars; to amend Title".

Also amend Section 3 by deleting therefrom subparagraph 2 (g) which subparagraph reads as follows: "(g). All family portraits" and substituting therefor the following:

(g) All personal property (other than motor vehicles, trailers, and semi-trailers) which is not used in a trade or business or for the production of income.

Also amend Section 3 by deleting therefrom subparagraph 2 (j) which subparagraph begins with the words: "(j) Provisions and supplies on hand," etc., and concludes with the words: "and one sewing machine" and substituting therefor the following:

(j) Tools and implements of mechanics to the value of two hundred dollars; farming tools and farm implements; all livestock including mules, horses, cows, calves, hogs, sheep and goats.

Also amend Section 3 by deleting therefrom subparagraph 2 (q) which subparagraph reads as follows: "(q) All household furniture and fixtures and personal effects owned by an individual for personal use in the home or usually kept in the home of the owner."

Also amend Section 3 by renumbering subparagraph (r) so as to become subparagraph (q) and renumbering subparagraph (s) so as to become subparagraph (r).

Also amend Section 3 by deleting therefrom subparagraph 2 (t) which subparagraph begins with the words: "(t) Inventories of goods," etc., and ends with the words: "Code of Alabama 1940.", and substituting therefor the following:

(s) Inventories of goods, wares and merchandise held for sale in the regular course of business, in an amount not to exceed, thirty thousand dollars in assessed value. Provided the limitation of thirty thousand dollars shall not be applicable to inventories of motor vehicles which are specifically provided for in Title 51, Section 704, as amended, Code of Alabama, 1940.

Also amend by deleting Section 6 and substituting therefor the following:

Section 6. All laws or parts of laws in conflict herewith are hereby repealed. It is expressly provided, however, that no provision of currently effec-

tive law relative to exemptions from taxation are hereby repealed nor in any way affected, but only such provisions as provide for the assessment for taxation at a different percentage of the fair market value of such property are repealed and superseded.

Also amend Section 7 by deleting the last three lines thereof which lines read: "and shall be effective with respect to each county when the property in such county has been revalued at fair and reasonable market value and that fact has been certified by the commissioner of revenue."

Also amend Section 7 by inserting a period at the end of line three thereof which line ends as follows: "for purposes of taxation."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (E)	Robertson
Adams	Downing	Jones (F)	St. John
Agee	Drake	King	Slate
Baker	Easters	Kinsey	Smith (K)
Bank	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Boles	Fite	McDonald	Straiton
Boutwell	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Burgess	Goodwin	Merrill	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	Nettles	Turnham
Chesnut	Hale	O'Daniel	Waggoner
Collins	Hardin	Owens	Waldrop
Connell	Harris	Parker (T)	Wallace
Coshatt	Headley	Perloff	Warren
Cottingham	Hearn	Pruitt	Weeks
Cross	Hill	Reed (T)	Williams
Crowe	Hobbie	Reid (R)	Wise
Culver	Jackson	Reynolds	Wynot
Dill			

—93

The question, then, was on the adoption of the amendment #4 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 57, Section 2, by adding the following at the end of the Class V sentence:

"However, any timberlands used exclusively for commercial purposes shall be assessed at 25 per cent."

And the amendment was adopted.

Yeas 85; Nays 3.

Yeas:

Messrs.:	Agee	Barkett	Benton
Adams	Baker	Bassett	Boles

Boutwell	Falkenburg	McBride	Slate
Brassell	Fite	McCluskey	Smith (P)
Burgess	Flippo	McCorquodale	Snell
Callahan	Gafford	McDonald	Stewart
Carnes	Goodwin	Mathews	Stokes
Carter	Grainger	Merrill	Straiton
Chesnut	Gray (F)	Mims	Stubbs
Collins	Grey (D)	Naramore	Taylor
Connell	Hale	Nettles	Therrell
Coshatt	Hardin	O'Daniel	Timmons
Cottingham	Harris	Owens	Turner
Cross	Headley	Parker (T)	Turnham
Crowe	Hearn	Perloff	Wa'drop
Dill	Hill	Pruitt	Wallace
Doss	Jackson	Reed (T)	Warren
Downing	Jones (E)	Reid (R)	Weeks
Drake	Jones (F)	Reynolds	Williams
Easters	King	Robertson	Wise
Edwards	Kinsey	St. John	Wynot
Erdreich	Lutz		

—85

Nays: Mr. Speaker, May and Smith (K). —3

Mr. Cauthen offered the following substitute to the bill, H. 57, as amended:

SYNOPSIS: This bill regulates further ad valorem taxation. It amends Code of Alabama, 1940, Title 51, Sections 15, 17, 2, and 704, so as to regulate further exemptions from ad valorem taxation including homestead exemptions therefrom, to prescribe the percentage of fair and reasonable value at which property shall be assessed for ad valorem taxation and to provide further for the assessment and collection of ad valorem taxes on motor vehicles. It also provides that the Act shall be severable and repeals conflicting laws and prescribes as the effective date of the Act that it shall apply to taxes due for the year beginning October 1, 1971 unless such taxes have become final prior to the effective date of this Act.

A BILL
TO BE ENTITLED
AN ACT

Relating to ad valorem taxation; to amend Code of Alabama, 1940, Title 51, Sections 15, 17, 2, and 704, so as to regulate further exemptions from ad valorem taxation, including homestead exemptions therefrom, to prescribe the percentage of fair and reasonable value at which property shall be assessed for ad valorem taxation and to provide further for the assessment and collection of ad valorem taxes on motor vehicles; to provide that this Act is severable; to repeal conflicting laws; and to prescribe the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama, 1940, Title 51, Section 15, is hereby amended to read as follows:

"Section 15. Homesteads—Homesteads, as defined by the constitution and laws of the State of Alabama, are hereby exempted from all State ad valorem taxes. In no case shall the exemption herein made apply to more than one person, head of the family, nor shall said exemption exceed $3,000 in assessed value, nor 160 acres in area. In addition to such exemption the govern-

ing body of each county and the governing body of each municipal corporation in the State is hereby authorized to grant an additional exemption on homesteads, as hereinabove defined, from taxation levied by such county or municipal corporation on property in the amount of $3,000 each.

Section 2. Code of Alabama, 1940, Title 51, Section 17, is hereby reenacted and amended and shall read as follows:

"Section 17. Assessment Rate—All taxable property within this State shall be assessed for the purpose of taxation at 27% of its fair and reasonable market value."

Section 3. Title 51, Section 2, as amended, Code of Alabama 1940, is hereby further amended to read as follows:

"Section 2. Persons and property—The following property and persons shall be exempt from ad valorem taxation and none other:

"(a) All bonds of the United States and this state, and all county and municipal bonds issued by counties and municipalities in this state, all property, real and personal, of the United States and this state, and of county and municipal corporations in this state; all cemeteries; all property, real and personal, used exclusively for religious worship, for schools or for purposes purely charitable; provided, however, property, real or personal, owned by any educational, religious or charitable institutions, society or corporation, let for rent or hire or for use for business purposes, shall not be exempt from taxation, notwithstanding the income from such property shall be used exclusively for education, religious or charitable purposes; all mortgages, together with the notes, debts, and credits secured thereby on real and personal property situated in this state, which mortgages have been filed for record and the privilege tax paid thereon; all security agreements and security interests under the Uniform Commercial Code, together with the notes, debts, and credits secured thereby; all money on deposit in any bank or banking institution and all other solvent credits; all warrants issued by county boards of education and city boards of education for the purpose of erecting, repairing, furnishing school buildings or for other school purposes, are exempt from taxation.

"(b)(1) All property, real or personal used exclusively for hospital purposes, to the amount of seventy-five thousand dollars, where such hospitals maintain wards for charity patients, or give treatment to such patients, provided that the treatment of charity patients constitutes at least fifteen percent of the business of such hospitals, provided further that such hospital need not be assessed for taxation if the owner or manager shall file with the county tax assessor wherein such hospital is located within the time allowed for assessing such property for taxation a certificate that such hospital has done fifteen percent charity work in the preceding tax year; and further provided that such hospital through its owner or manager shall have until the expiration of the preceding tax year to class its work and ascertain whether or not such hospital has done fifteen percent of its treatment of patients as charity work.

"(b)(2) The shares of the capital stock of any corporation owning and operating a hospital, to the extent of seventy-five thousand dollars in value, are exempt from taxation, provided that said corporation maintains wards for charity patients and gives treatment to such patients, which treatment constitutes at least fifteen percent of the business of the hospital of said corporation, provided that the total exemption granted to any such corporation shall not exceed seventy-five thousand dollars taking into consideration its real and personal property and the value of its shares of capital stock.

"(c) All property owned by the American Legion or by Veterans of Foreign Wars, or any post thereof; provided that such property is used and occupied exclusively by said organization.

"(d) All the property of literary and scientific institutions and literary societies, when employed or used in the regular business of such institution.

"(e) The libraries of ministers of the gospel, and all libraries other than those of a professional character and all religious books kept for sale by ministers of the gospel and colporteurs.

"(f) The property of deaf mutes and insane persons to the extent of three thousand dollars, and the property of blind persons to the extent of twelve thousand dollars.

"(g) All family portraits.

"(h) All cotton, livestock or agricultural products which have been raised or grown in the state of Alabama, and which shall remain in the hands of the producer thereof, or his landlord, or in the hands of a cooperative association for all time, and for a period of one year in the hands of the purchaser or the manufacturer.

"(i) All cotton, where ever grown, stored in licensed warehouses in the state of Alabama for a period not exceeding twelve months.

"(j) Provisions and supplies on hand for the current year for the use of the family and the making of crops; all wearing apparel; farming tools to the value of five hundred dollars; tools and implements of mechanics to the value of two hundred dollars; all livestock, including mules, horses, cows, calves, hogs, sheep and goats, and the following property to be selected by the head of each family, namely, household and kitchen furniture not to exceed five hundred dollars and one sewing machine.

"(k) No license or taxation of any character, except franchise taxes provided by section 229, of the Constitution of the state of Alabama, shall be collected or required to be paid to the state, or any county or municipality therein, by any state or county fair, agricultural association, stock, kennel or poultry show, athletic stadiums owned and controlled by universities, schools or colleges, and which are used exclusively for the purpose of promoting intercollegiate or interschool athletics. Provided that the revenue received from athletic stadiums, when admission is charged shall be used for the benefit of athletic associations of such universities, colleges or schools. Nothing contained in this subsection shall be construed to prohibit any municipality, county or state, from imposing any license tax upon or for the privilege of engaging in the business of supplying services for hire or reward, or selling commodities other than livestock, farm products or farm implements, or conducting or operating devices or games of skill or amusements or other games or devises, or conducting or operating shows, displays or exhibits other than shows, displays, or exhibits of agricultural implements, farm products, livestock and athletic prowess.

"(l) All raw material, including coke, produced during the current calendar year, when stocked at any plant or furnace, for manufacturing purposes in Alabama.

"(m) All articles manufactured in Alabama, including pig iron, in the hands of the producer or manufacturer thereof, shall be exempt from taxation for twelve months after its production or manufacture.

"(n) All property both real and personal owned by any unit or organization of the Alabama national guard officially recognized as such by the federal government and organized and maintained by the state, and all property owned by shares and used exclusively by and kept exclusively in the possession of any such unit or organization of the Alabama national guard, the annual rent or hire of which is not in excess of the annual state, county and municipal taxes on said property shall be exempt from taxation by the state, and the county and municipality in which the same may be situated.

"(o) All poultry.

"(p) The property of all incompetent veterans to the value of three thousand dollars shall be exempt from ad valorem taxation.

"(q) All household furniture and fixtures and personal effects owned by an individual for personal use in the home or usually kept in the home of the owner.

"(r) All property owned by the Benevolent and Protective Order of Elks, Fraternal Order of Police, Fraternal Order of Eagles, or lodge thereof, provided such property is used and occupied exclusively by such organization.

"(s) All devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

"(t) Inventories of goods, wares and merchandise held for sale in a regular course of business in an amount not to exceed ten thousand dollars in assessed value. Provided, the limitation of ten thousand dollars shall not be applicable to inventories of motor vehicles which are specifically provided for in Title 51, Section 704, as amended, Code of Alabama 1940."

Section 4. Title 51, Section 704, as amended, Code of Alabama 1940, is hereby further amended to read as follows:

"Section 704. *Assessment of Motor Vehicles*—(a) To prevent motor vehicles within the meaning of section 692, Title 51, Code of Alabama 1940, as amended by Act No. 223, Special Session 1967, approved May 10, 1967, from escaping taxation and to provide for a more efficient assessment and collection of taxes due on same, no license shall be issued to operate a motor vehicle on the public highways of this state, nor shall any transfer be made by the probate judge as provided under this article, until the ad valorem tax on such vehicle shall have been paid in the county for the preceding tax year, as evidenced by a receipt of the tax collector where the owner of said vehicle resides, if the vehicle is owned by an individual, or if the vehicle is owned by a firm, corporation or association, then as evidenced by the receipt of the tax collector in the county in which said motor vehicle is used or operated. Every person who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation to the tax assessor of the county in which he resides, and every firm or corporation that so desires to operate a motor vehicle shall first return such motor vehicle for ad valorem taxation to the tax assessor of the county from which such motor vehicle is used or operated, and the tax assessor of such county shall deliver to the person who makes the return as herein required, a certificate of assessment on a form prescribed by the department of revenue, and such certificate shall be the warrant of the tax collector to collect the tax as shown thereon. Before any vehicle can be assessed, the tax assessor shall be furnished the tag

number presently on the vehicle, unless such vehicle is new and a tag therefor has never been bought, in which case the assessor shall be furnished a bona fide bill of sale from the dealer showing when the car was bought new, or in the case of a used car brought into the state from any state which provides that upon sale or transfer of a car, the tags are either surrendered to the appropriate authority or subsequently reuseable by the seller or transferor, in which case the assessor shall be furnished a bona fide certificate of title, properly assigned, showing when the car was sold to an individual, firm, corporation or association, living or operating in this state. If such tag number or bill of sale or certificate of title is not furnished, the vehicle will be presumed to have been in the state for the entire year for which taxes are being assessed and taxes assessed for the entire year. (b) The judge of probate upon issuing a license as herein provided shall require the applicant to surrender the receipt of the tax collector and keep same on file in his office. The license tag shall be evidence of the payment of the license and the ad valorem tax due as provided under this article. The probate judge is authorized to issue a motor vehicle license upon a certificate of the tax assessor certifying that there is no ad valorem tax on the motor vehicle due for the preceding tax year. (c) Motor vehicles brought into the state during any tax year, or new vehicles for which licenses have never been issued, sold from the stock of a dealer during any tax year, shall be subject to taxation the same as if they had been held or owned in the state on the first day of October, except that taxes thereon shall be assessed on a quarterly basis as follows: (1) Motor vehicles brought into the state or sold from stock after the first day of October of any year, but before the first day of January following, shall be subject to taxation the same as if held or owned in the state on the first day of October. (2) Motor vehicles brought into the state or sold from stock after the last day of December, but before the first day of April following, shall be subject to taxation for three quarters of the tax year. (3) Motor vehicles brought into the state or sold from stock after the last day of March, but before the first day of July following, shall be subject to tax for one-half of the tax year. (4) Motor vehicles brought into the state or sold from stock after the last day of June, but before the first day of October following, shall be subject to tax for one-fourth of the tax year. (d) The tax assessors and tax collectors of the several counties in this state in addition to assessing and collecting the ad valorem taxes due the state and counties on motor vehicles, shall collect the ad valorem taxes on motor vehicles due all cities in this state. The tax collector shall report and pay over the money collected for said cities at the same time and in the same manner as state and county taxes are reported and paid over by him. Said assessors and collectors shall each receive a commission of two and one-half percent of the amount of city taxes collected; and the tax collectors shall deduct said commission from the amount collected before paying into the city treasury, and at the same time pay over to the tax assessor commissions due him under this article. The judge of probate shall not issue a license to operate a motor vehicle on the highways of this state until all ad valorem taxes due the said state, counties and cities are paid for the preceding tax year, as shown by a receipt of the collector. (e) Motor vehicles shall not be included in any assessment made by any person, firm or corporation under the provisions of section 21(d) of Title 51, Code of Alabama 1940, and such motor vehicles shall not be considered as escape property by reason of the failure to include the same in any tax return as of the first day of October; all motor vehicles shall be assessed and the taxes thereon shall be collected solely as herein provided. (f) In order to obtain equal and uniform assessments for the collection of ad valorem taxes on motor vehicles, the department of revenue shall on or before the third Monday of July each year adopt and distrib-

ute to each tax assessor or other officer performing the duties of tax assessor a schedule for use during the next assessment year setting the assessment value of each make and model of motor vehicle. Except as provided in subsections (g) and (h) of this section, each tax assessor or other such officer performing the duties of tax assessor shall use such schedule in fixing the assesment value of each motor vehicle assessed by him. Any tax assessor or other officer failing or refusing to use such schedule, as herein provided, shall be held liable for any deficiency of tax payment resulting from such failure or refusal. (g) An assessing officer may, in accordance with rules and regulations adopted by the commissioner of revenue, fix the assessment value of a motor vehicle, which has been substantially damaged, at a fair and reasonable amount in relation to the assessment value of an undamaged motor vehicle of the same classification as fixed in the schedule provided for in subsection (f) of this section. Provided, however, this subsection shall not apply except in those instances where the assessing officer or an employee of his office has made a personal inspection of the damaged vehicle. (h) Where a motor vehicle does not appear in the schedule furnished by the department of revenue, the assessing officer shall determine the assessment value of such motor vehicle in accordance with rules and regulations adopted and promulgated by the commissioner of revenue. (i) The provisions of this section shall apply fully to the assessment of house trailers for ad valorem taxes. (j) Wherever in this section reference is made to probate judges, tax collectors and tax assessors these terms shall also include any other official performing the duties of probate judges, tax collectors or tax assessors."

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws in conflict with this Act shall be null and void with respect to the assessments of property for ad valorem tax purposes in any county wherein the property has been revalued at fair and reasonable market value and that fact has been certified by the commissioner of revenue but shall otherwise remain in full force and effect.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; and it shall apply to and govern the assessment of taxes for the tax year beginning October 1, 1971 except in those cases in which the assessment has become final before the effective date of this Act.

SUBSTITUTE TABLED

On motion of Mr. McCorquodale, the substitute offered by Mr. Cauthen was tabled.

Yeas 67; Nays 33.

Yeas:

Mr. Speaker	Brassell	Coshatt	Edwards
Adams	Burgess	Cottingham	Fite
Agee	Callahan	Crawford	Goodwin
Baker	Carnes	Cross	Gray (F)
Bank	Carter	Crowe	Grey (D)
Barkett	Chesnut	Downing	Hardin
Bassett	Collins	Drake	Harris
Benton	Connell	Easters	Headley

Hearn	May	Robertson	Turner
Jackson	Merrill	St. John	Turnham
Jones (F)	Mims	Slate	Waldrop
Kinsey	Naramore	Smith (K)	Warren
Lang	O'Daniel	Smith (P)	Williams
McCluskey	Owens	Snell	Wise
McCorquodale	Pruitt	Stewart	Wood
McDonald	Reid (R)	Stubbs	Wynot
Mathews	Reynolds	Taylor	—67

Nays:

Messrs.:	Ellis	Jones (E)	Perloff
Adwell	Erdreich	King	Reed (T)
Boles	Falkenburg	Lutz	Stokes
Boutwell	Flippo	McBride	Straiton
Bowers	Gafford	Meeks	Timmons
Cauthen	Gloor	Nettles	Waggoner
Cherner	Grainger	Parker (H)	Wallace
Dill	Hale	Parker (T)	Weeks
Doss	Hill		—33

Mr. Jones (F) offered the following amendment to the bill, H. 57, as amended:

Under Class II of Section 17 (a) of House Bill 57, amend the sentence that reads:

"Class II. All real property used for commercial and industrial purposes, twenty-five percent;" to read, as amended, as follows:

"Class II. All real property used for commercial and industrial purposes, twenty-five percent, except real property with a fair market value of thirty thousand dollars or less and used for rental purposes only shall be assessed at twenty percent."

And the amendment was adopted.

Yeas 46; Nays 37.

Yeas:

Messrs.:	Cross	Hobbie	Stokes
Agee	Dill	Jackson	Straiton
Barkett	Downing	Jones (E)	Taylor
Benton	Easters	Jones (F)	Therrell
Brassell	Edwards	Lang	Timmons
Burgess	Ellis	McCorquodale	Turnham
Carnes	Fite	May	Waldrop
Carter	Gray (F)	Mims	Wallace
Chesnut	Hale	Nettles	Warren
Connell	Harris	Perloff	Wise
Cottingham	Hearn	Pruitt	Wood
Crawford	Hill	Reed (T)	—46

Nays:

Mr. Speaker	Callahan	Crowe	Falkenburg
Adwell	Cherner	Doss	Gafford
Baker	Collins	Drake	Goodwin
Boutwell	Coshatt	Erdreich	Grainger

Grey (D)	Merrill	Robertson	Snell
Headley	Naramore	St. John	Stewart
King	O'Daniel	Slate	Stubbs
Lutz	Owens	Smith (K)	Turner
McBride	Reynolds	Smith (P)	Wynot
McCluskey			

—37

Mr. Smith (P) offered the following amendment to the bill, H. 57, as amended:

Amend H. B. 57 by adding at the end of the last paragraph of Section one the following:

"In addition, residents of this state over sixty-five years of age shall be allowed an additional exemption of not more than three thousand dollars ($3,000) in assessed value for state tax purposes."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Agee	Downing	King	Slate
Baker	Drake	Kinsey	Smith (K)
Bank	Easters	Lang	Smith (P)
Barkett	Edwards	Lutz	Snell
Bassett	Ellis	McCluskey	Stewart
Benton	Erdreich	McCorquodale	Stokes
Boles	Falkenburg	McDonald	Straiton
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Gloor	Merrill	Timmons
Callahan	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	Nettles	Waggoner
Chesnut	Grey (D)	O'Daniel	Waldrop
Collins	Hale	Owens	Wallace
Connell	Hardin	Parker (H)	Warren
Coshatt	Harris	Parker (T)	Weeks
Cottingham	Headley	Perloff	Williams
Crawford	Hearn	Pruitt	Wise
Cross	Hill	Reed (T)	Wood
Crowe	Hobbie	Reid (R)	Wynot

—100

Mr. Stewart offered the following amendment #1 to the bill, H. 57, as amended:

Amend House Bill 57 by striking Class II of Section 17(a) in Section 2 and inserting in lieu thereof the following:

"Class II. Twenty-five percent the following:

A. All real property used for commercial and industrial purposes.

B. Leasehold interests in lands, buildings and other improvements thereon, including all real and personal properties deemed necessary in connec-

tion therewith, are hereby designated a separate or special interest in land, and shall be subject to ad valorem taxation in this state when the leased premises are exempt from taxation under the provisions of Act No. 648, 1949 Regular Session (Acts 1949, p. 991) approved September 19, 1949, as amended, concerning the organization of public corporations to promote industry through the issuance of industrial development bonds, and under the provisions of Act No. 756, 1951 Regular Session (Acts 1951, p. 1307) approved September 6, 1951, as amended, concerning the authorization of municipalities to promote industry through the issuance of industrial development bonds.

1. The value of such leasehold interest for purposes of taxation shall be the fair and reasonable market value of the land, buildings and other improvements thereon, including all real and personal properties deemed necessary in connection therewith for the particular enterprise for which the leased premises are used or suitable for use which are provided by the lessor.

The lessee shall make return of such leasehold interest at the same time and in the same manner that owners of other taxable interests in real property return their property for assessment for taxation.

Such leasehold interest shall be assessed and taxed at the same rate or percent that other taxable interests in real property are assessed and taxed.

2. As to businesses beginning operation after this Act becomes effective, when a lessee of any of the properties described in Section 1 of this act uses the leased premises for a factory, plant or industry, which if located on premises owned by the lessee would be exempt from ad valorem taxation under Code of Alabama 1940, Title 51, Sections 3 through 10, as amended, or under Act No. 399, Regular Session 1967 (Acts 1967, p. 1002), or any other act amendatory or supplementary to such laws, then the leasehold interest in the above described properties shall also be exempt from taxation to the same extent, for the same period of time and upon the same terms and conditions as prescribed by said above-mentioned laws for the exemption of factories, plants and industries engaged in like businesses. All such exemptions may be granted and claimed in the manner prescribed in such laws. All businesses and industries operating in this state on the effective date of this act, and having leasehold interests in real or personal property which are exempt from taxation under the laws cited in Section 1 of this Act shall continue to be entitled to such exemption for the duration of the base period of the lease under which they are operating on the effective date of this act. Such exemption, however, shall not be applicable during any part of any period of renewal or extension of such lease; nor shall such factory, plant or industry be entitled to the exemptions from ad valorem taxation under Code of Alabama 1940, Title 51, Sections 3 through 10, as amended."

MOTION TO TABLE LOST

The motion of Mr. Turner to table the amendment #1 offered by Mr. Stewart was lost.

Yeas 20; Nays 74.

Yeas:

Mr. Speaker	Barkett	Callahan	Easters
Agee	Boutwell	Drake	Fite

Hobbie	O'Daniel	Turner	Weeks
Jackson	Owens	Turnham	Williams
McCorquodale	Pruitt	Waggoner	Wise

—20

Nays:

Messrs.:	Crawford	Headley	Reynolds
Adams	Cross	Hearn	Robertson
Adwell	Crowe	Hill	St. John
Baker	Culver	King	Slate
Bassett	Dill	Lang	Smith (K)
Benton	Doss	Lutz	Smith (P)
Boles	Downing	McBride	Snell
Bowers	Ellis	McCluskey	Stewart
Brassell	Erdreich	McDonald	Stokes
Burgess	Falkenburg	Mathews	Straiton
Carnes	Flippo	Meeks	Stubbs
Carter	Gafford	Merrill	Taylor
Casey	Goodwin	Naramore	Therrell
Cauthen	Grainger	Nettles	Timmons
Cherner	Gray (F)	Parker (H)	Waldrop
Collins	Grey (D)	Parker (T)	Wallace
Connell	Hale	Perloff	Wood
Coshatt	Hardin	Reed (T)	Wynot
Cottingham	Harris	Reid (R)	

—74

The question, then, was on the adoption of the amendment offered by Mr. Stewart and the amendment was adopted.

Yeas 85; Nays 14.

Yeas:

Messrs.:	Cottingham	Headley	Reed (T)
Adams	Crawford	Hearn	Reid (R)
Adwell	Cross	Hill	Reynolds
Agee	Crowe	Hobbie	Robertson
Baker	Culver	Jones (E)	St. John
Bank	Dill	King	Slate
Bassett	Doss	Kinsey	Smith (K)
Benton	Downing	Lang	Smith (P)
Boles	Drake	Lutz	Snell
Bowers	Edwards	McBride	Stewart
Brassell	Ellis	McCluskey	Stokes
Burgess	Erdreich	McDonald	Straiton
Callahan	Falkenburg	Mathews	Stubbs
Carnes	Flippo	Meeks	Taylor
Carter	Gafford	Merrill	Therrell
Casey	Goodwin	Naramore	Timmons
Cauthen	Grainger	Nettles	Waggoner
Cherner	Gray (F)	O'Daniel	Waldrop
Chesnut	Grey (D)	Parker (H)	Wallace
Collins	Hale	Parker (T)	Weeks
Connell	Hardin	Perloff	Wynot
Coshatt	Harris		

—85

Nays:

Mr. Speaker	Fite	Pruitt	Williams
Barkett	Jackson	Turner	Wise
Boutwell	McCorquodale	Turnham	Wood
Easters	Owens		

—14

Mr. Stewart offered the following amendment #2 to the bill, H. 57, as amended:

Amend H. B. 57 as amended by striking paragraph (c) of Section 2 and inserting in lieu thereof the following:

"(c) Real property, used for commercial and industrial purposes shall include real property used in the conduct of any and all business or commercial activities, ventures, or undertakings to include real property reserved for growing timber and reforestation when owned by a commercial or industrial concern, including leasehold interests for which a tax has been provided by law, and any real property not heretofore specifically categorized as real property of public utilities, real property devoted to residential use, or farm lands."

And the amendment was adopted.

Yeas 71; Nays 22.

Yeas:

Messrs.:	Coshatt	Hardin	Reid (R)
Adams	Cottingham	Harris	Robertson
Agee	Crawford	Headley	St. John
Baker	Cross	Hearn	Slate
Bank	Crowe	Hill	Smith (K)
Bassett	Culver	Jackson	Smith (P)
Benton	Doss	King	Snell
Brassell	Downing	Lang	Stewart
Burgess	Drake	Lutz	Stokes
Callahan	Edwards	McBride	Straiton
Carnes	Ellis	McCluskey	Stubbs
Carter	Falkenburg	McDonald	Taylor
Casey	Flippo	Merrill	Therrell
Cauthen	Goodwin	Naramore	Timmons
Cherner	Grainger	Nettles	Waldrop
Chesnut	Gray (F)	Parker (T)	Wallace
Collins	Grey (D)	Perloff	Weeks
Connell	Hale	Reed (T)	Wynot

—71

Nays:

Mr. Speaker	Erdreich	O'Daniel	Turnham
Adwell	Fite	Owens	Waggoner
Barkett	Gafford	Parker (H)	Williams
Boutwell	Hobbie	Reynolds	Wise
Dill	McCorquodale	Turner	Wood
Easters	Meeks		

—22

Mr. Lutz offered the following amendment to the bill, H. 57, as amended:

Amend House Bill 57 by adding the following at the end of Section 7:

"Provided, however, that should said amendment not be ratified and adopted, all taxable property within the state shall be assessed at twenty-five percent of its fair and reasonable market value; in such event this Act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Lutz was tabled.

Yeas 53; Nays 50.

Yeas:

Mr. Speaker	Connell	Hardin	Pruitt
Agee	Coshatt	Headley	Reid (R)
Baker	Cottingham	Hobbie	Reynolds
Bank	Crawford	Jackson	Robertson
Barkett	Cross	Kinsey	Smith (K)
Bassett	Crowe	Lang	Smith (P)
Benton	Downing	McCorquodale	Snell
Brassell	Drake	Mathews	Stubbs
Burgess	Easters	May	Turner
Callahan	Edwards	Mims	Turnham
Carter	Fite	Naramore	Warren
Casey	Goodwin	O'Daniel	Williams
Chesnut	Grey (D)	Owens	Wise
Collins			—53

Nays:

Messrs.:	Falkenburg	Lutz	Stewart
Adams	Flippo	McBride	Stokes
Adwell	Gafford	McCluskey	Straiton
Boles	Gloor	McDonald	Taylor
Boutwell	Grainger	Meeks	Therrell
Bowers	Gray (F)	Merrill	Timmons
Carnes	Hale	Nettles	Waggoner
Cauthen	Harris	Parker (H)	Waldrop
Cherner	Hearn	Parker (T)	Wallace
Dill	Hill	Perloff	Weeks
Doss	Jones (E)	Reed (T)	Wood
Ellis	Jones (F)	St. John	Wynot
Erdreich	King	Slate	—50

Mr. Carnes offered the following amendment #1 to the bill, H. 57, as amended:

Amend H. B. 57, Section 3, by adding at the end thereof a new sub-section as follows:

"(u) All property of non-profit associations or corporations as may be elsewhere provided in this title."

And the amendment was adopted.

Yeas 89; Nays 7.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Cross
Agee	Bowers	Cauthen	Crowe
Baker	Brassell	Chesnut	Culver
Bank	Burgess	Collins	Doss
Barkett	Callahan	Coshatt	Downing
Bassett	Carnes	Cottingham	Drake

Easters	Hobbie	Nettles	Straiton
Edwards	Jackson	O'Daniel	Stubbs
Ellis	Jones (E)	Owens	Taylor
Erdreich	Jones (F)	Parker (H)	Therrell
Falkenburg	King	Perloff	Turner
Fite	Kinsey	Pruitt	Turnham
Flippo	Lang	Reed (T)	Waggoner
Goodwin	Lutz	Reid (R)	Waldrop
Grainger	McCorquodale	Reynolds	Wallace
Gray (F)	McDonald	Robertson	Warren
Grey (D)	Mathews	St. John	Weeks
Hardin	May	Slate	Williams
Harris	Merrill	Smith (K)	Wise
Headley	Mims	Snell	Wood
Hearn	Naramore	Stokes	Wynot
Hill			

—89

Nays:

Messrs.:	Boutwell	Dill	McCluskey
Adwell	Cherner	Gafford	Timmons

—7

Mr. Carnes offered the following amendment #2 to the bill, H. 57, as amended:

Amend Section 2 ((r) of House Bill No. 57 by inserting after the word "Eagles" the following: "Masonic Order, Knights of Columbus."

And the amendment was adopted.

Yeas 93; Nays 1.

Yeas:

Mr. Speaker	Culver	Jones (F)	Robertson
Adwell	Doss	King	St. John
Agee	Downing	Kinsey	Slate
Baker	Drake	Lang	Smith (K)
Bank	Easters	Lutz	Smith (P)
Barkett	Edwards	McCluskey	Snell
Bassett	Erdreich	McCorquodale	Stokes
Benton	Falkenburg	McDonald	Straiton
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Merrill	Therrell
Burgess	Goodwin	Mims	Timmons
Callahan	Grainger	Naramore	Turner
Carnes	Gray (F)	Nettles	Turnham
Carter	Grey (D)	O'Daniel	Waggoner
Casey	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Collins	Headley	Parker (T)	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hobbie	Reed (T)	Wise
Crawford	Jackson	Reid (R)	Wood
Cross	Jones (E)	Reynolds	Wynot
Crowe			

—93

Nay: Mr. Dill. —1

Mr. Erdreich offered the following amendment to the bill, H. 57, as amended:

Amend H. 57 by amending Section 3 by adding in Section 2 (r) after the word Elks the following:

", any unincorporated labor association,

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Erdreich was tabled.

Yeas 54; Nays 31.

Yeas:

Mr. Speaker	Crawford	Jackson	Pruitt
Adams	Cross	Jones (E)	Reid (R)
Agee	Culver	King	Reynolds
Baker	Dill	Kinsey	Robertson
Barkett	Downing	McCluskey	St. John
Bassett	Fite	McCorquodale	Slate
Benton	Gloor	McDonald	Smith (K)
Brassell	Goodwin	Mathews	Snell
Burgess	Grey (D)	Merrill	Turner
Callahan	Hardin	Mims	Turnham
Carter	Harris	Naramore	Warren
Casey	Headley	O'Daniel	Williams
Collins	Hill	Owens	Wise
Cottingham	Hobbie		—54

Nays:

Messrs.:	Crowe	Grainger	Taylor
Adwell	Doss	Gray (F)	Therrell
Boles	Drake	McBride	Timmons
Boutwell	Edwards	Parker (H)	Waldrop
Carnes	Ellis	Perloff	Wallace
Cherner	Erdreich	Reed (T)	Weeks
Chesnut	Falkenburg	Stokes	Wood
Coshatt	Gafford	Straiton	Wynot
			—31

Mr. Lutz offered the following amendment to the bill, H. 57, as amended:

Amend House Bill 57 by adding the following at the end of Section 7:

"Provided, however, that should said amendment not be ratified and adopted, all taxable property within the state shall be assessed at thirty percent of its fair and reasonable market value; in such event that this Act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Lutz was tabled.

Yeas 58; Nays 45.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reynolds
Agee	Crawford	Kinsey	Slate
Baker	Cross	Lang	Smith (K)
Barkett	Crowe	McCorquodale	Smith (P)
Bassett	Culver	McDonald	Snell
Benton	Downing	Mathews	Stewart
Brassell	Drake	May	Stubbs
Burgess	Easters	Merrill	Turner
Callahan	Edwards	Mims	Turnham
Carter	Fite	Naramore	Waldrop
Casey	Goodwin	O'Daniel	Warren
Chesnut	Grey (D)	Owens	Williams
Collins	Hardin	Pruitt	Wise
Connell	Headley	Reid (R)	Wood
Coshatt	Hobbie		—58

Nays:

Messrs.:	Erdreich	Jones (F)	Robertson
Adams	Falkenburg	King	St. John
Adwell	Flippo	Lutz	Stokes
Boles	Gafford	McBride	Straiton
Boutwell	Gloor	McCluskey	Taylor
Bowers	Grainger	Meeks	Therrell
Carnes	Gray (F)	Nettles	Timmons
Cauthen	Hale	Parker (H)	Waggoner
Cherner	Harris	Parker (T)	Wallace
Dill	Hearn	Perloff	Weeks
Doss	Hill	Reed (T)	Wynot
Ellis	Jones (E)		—45

Mr. Cauthen offered the following amendment to the bill, H. 57, as amended:

Amend Section 7 of H. B. 57 by adding at the end thereof the following:

In the event this act is subsequently held to be unconstitutional or if said amendment to the constitution is not so ratified, then said tax rate shall be at 30%.

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Cauthen was tabled.

Yeas 59; Nays 42.

Yeas:

Mr. Speaker	Burgess	Coshatt	Easters
Agee	Callahan	Cottingham	Fite
Baker	Carter	Crawford	Goodwin
Barkett	Casey	Cross	Grey (D)
Bassett	Chesnut	Culver	Hardin
Benton	Collins	Downing	Harris
Brassell	Connell	Drake	Headley

Hobbie	Meeks	Reynolds	Turner	
Jackson	Merrill	Robertson	Turnham	
Kinsey	Mims	Slate	Waldrop	
Lang	Naramore	Smith (K)	Warren	
McCorquodale	O'Daniel	Smith (P)	Williams	
McDonald	Owens	Snell	Wise	
Mathews	Pruitt	Stewart	Wood	
May	Reid (R)	Stubbs		—59

Nays:

Messrs.:	Doss	Jones (E)	St. John	
Adams	Ellis	Jones (F)	Stokes	
Adwell	Erdreich	King	Straiton	
Boles	Falkenburg	Lutz	Taylor	
Boutwell	Flippo	McBride	Therrell	
Bowers	Gafford	McCluskey	Timmons	
Carnes	Gloor	Nettles	Waggoner	
Cauthen	Grainger	Parker (H)	Wallace	
Cherner	Gray (F)	Parker (T)	Weeks	
Crowe	Hale	Perloff	Wynot	
Dill	Hill	Reed (T)		—42

Mr. Lutz offered the following amendment to the bill, H. 57, as amended:

Add the following at the end of Section 7:

Provided, however, that should said amendment not be ratified and adopted all taxable property within the state shall be assessed at twenty-two and ½ percent of its fair and reasonable market value; in such event this act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified.

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Lutz was tabled.

Yeas 51; Nays 50.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Reid (R)	
Agee	Cottingham	Jackson	Reynolds	
Baker	Crawford	Kinsey	St. John	
Barkett	Cross	Lang	Smith (K)	
Bassett	Culver	McCorquodale	Smith (P)	
Benton	Downing	McDonald	Snell	
Brassell	Drake	Mathews	Stubbs	
Callahan	Easters	May	Turner	
Carter	Fite	Mims	Turnham	
Casey	Goodwin	Naramore	Warren	
Chesnut	Grey (D)	O'Daniel	Williams	
Collins	Hardin	Owens	Wise	
Connell	Headley	Pruitt		—51

Nays:

Messrs.:	Adwell	Boutwell	Burgess	
Adams	Boles	Bowers	Carnes	

Cauthen	Grainger	Meeks	Straiton
Cherner	Hale	Merrill	Taylor
Crowe	Harris	Nettles	Therrell
Dill	Hearn	Parker (H)	Timmons
Doss	Hill	Parker (T)	Waggoner
Ellis	Jones (E)	Perloff	Waldrop
Erdreich	Jones (F)	Reed (T)	Wallace
Falkenburg	King	Robertson	Weeks
Flippo	Lutz	Slate	Wood
Gafford	McBride	Stewart	Wynot
Gloor	McCluskey	Stokes	

—50

Mr. Lutz offered the following amendment #2 to the bill, H. 57, as amended:

Amend House Bill 57 by adding the following at the end of Section 7:

"Provided, however, that should said amendment not be ratified and adopted, all taxable property within the state shall be assessed at twenty percent of its fair and reasonable market value; in such event this Act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Lutz was tabled.

Yeas 58; Nays 43.

Yeas:

Mr. Speaker	Connell	Hardin	Pruitt
Agee	Coshatt	Headley	Reid (R)
Baker	Cottingham	Hobbie	Reynolds
Bank	Crawford	Jackson	Robertson
Barkett	Cross	Kinsey	St. John
Bassett	Crowe	Lang	Smith (K)
Benton	Culver	McCorquodale	Smith (P)
Brassell	Downing	Mathews	Snell
Burgess	Drake	May	Stubbs
Callahan	Easters	Merrill	Turner
Carter	Edwards	Mims	Turnham
Casey	Fite	Naramore	Warren
Cherner	Gafford	O'Daniel	Williams
Chesnut	Goodwin	Owens	Wise
Collins	Grey (D)		

—58

Nays:

Messrs.:	Erdreich	Jones (F)	Stokes
Adams	Falkenburg	King	Straiton
Adwell	Flippo	Lutz	Taylor
Boles	Gloor	McBride	Therrell
Boutwell	Grainger	McDonald	Timmons
Bowers	Gray (F)	Nettles	Waggoner
Carnes	Hale	Parker (H)	Waldrop
Cauthen	Harris	Parker (T)	Wallace
Dill	Hearn	Perloff	Weeks
Doss	Hill	Reed (T)	Wood
Ellis	Jones (E)	Slate	Wynot

—43

And the bill, H. 57, as thus amended:

To amend Title 51, Section 15, Code of Alabama 1940, so as to provide a homestead exemption from all state and county ad valorem taxes not to exceed two thousand dollars ($2,000) in assessed value for state tax purposes and one thousand dollars ($1,000) in assessed value for county tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to establish a classification system of property taxation and fix assessment rates for each class of property; to amend Title 51, Section 2(m), Code of Alabama 1940, so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2 to provide for exemption from ad valorem taxation of farming tools and farm implements, all personal property (other than motor vehicles, trailers and semi-trailers) not used in a trade or business or for the production of income, and stocks of goods, wares and merchandise to the value of thirty thousand dollars; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 30.

Yeas:

Mr. Speaker	Crawford	Jackson	Reynolds
Adwell	Cross	Jones (F)	Robertson
Agee	Crowe	Kinsey	St. John
Baker	Culver	Lang	Slate
Bank	Downing	McCluskey	Smith (K)
Barkett	Drake	McCorquodale	Smith (P)
Bassett	Easters	McDonald	Snell
Benton	Edwards	Mathews	Stewart
Brassell	Fite	May	Straiton
Burgess	Flippo	Merrill	Stubbs
Callahan	Goodwin	Mims	Taylor
Carnes	Gray (F)	Naramore	Turner
Carter	Grey (D)	O'Daniel	Turnham
Casey	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (T)	Warren
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hill	Reid (R)	Wynot
Cottingham	Hobbie		—74

Nays:

Messrs.:	Doss	Jones (E)	Stokes
Adams	Ellis	King	Therrell
Boles	Erdreich	Lutz	Timmons
Boutwell	Falkenburg	McBride	Waggoner
Bowers	Gafford	Meeks	Wallace
Cauthen	Gloor	Nettles	Weeks
Cherner	Grainger	Parker (H)	Wood
Dill	Hale	Perloff	—30

And the bill:

H. 61. (With Amendment): To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a statewide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year; to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend the title by striking the semicolon at the end of the tenth line and substituting therefor a period.

Also amend the title by deleting the last three lines therefrom which reads as follows: "to provide that the total of all levies of ad valorem tax shall not exceed one and two tenths percent of the market value of the property taxed."

Also amend Section 1 by deleting therefrom subparagraph 3 which paragraph reads as follows: "3. No property in this state shall be taxed at more than one and two tenths percent of its market value."

Also amend Section 1 by renumbering subparagraph 4 so as to become subparagraph 3.

And the amendment was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Crowe	Kinsey	St. John
Agee	Culver	Lang	Slate
Baker	Downing	Lutz	Smith (K)
Bank	Drake	McCluskey	Smith (P)
Barkett	Easters	McCorquodale	Snell
Bassett	Edwards	McDonald	Stewart
Benton	Fite	Mathews	Stokes
Brassell	Flippo	May	Straiton
Burgess	Goodwin	Merrill	Stubbs
Callahan	Grainger	Mims	Taylor
Carnes	Gray (F)	Naramore	Therrell
Carter	Grey (D)	Nettles	Turner
Casey	Hale	O'Daniel	Turnham
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (T)	Warren
Collins	Headley	Perloff	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford	Jackson	Reynolds	—83

Nay: Mr. Cherner. —1

And the bill, H. 61, as thus amended:

H. 61. To propose an amendment to the Constitution of Alabama for the purpose of protecting individual property owners from possible drastic changes in ad valorem taxation as the result of a state-wide equalization of property assessments; to stabilize the income to the counties and the municipalities from the ad valorem tax; to set a rate of taxation in each county and each municipality which will produce for each such county and each such municipality a total amount from the ad valorem tax which will equal the amount of tax collected as ad valorem tax for the next preceding tax year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 18.

Yeas:

Mr. Speaker	Downing	Lang	Slate
Agee	Drake	Lutz	Smith (K)
Baker	Easters	McCluskey	Smith (P)
Bank	Edwards	McCorquodale	Snell
Barkett	Fite	Mathews	Stewart
Bassett	Flippo	May	Stokes
Benton	Goodwin	Meeks	Straiton
Brassell	Grainger	Merrill	Stubbs
Burgess	Gray (F)	Mims	Taylor
Carnes	Grey (D)	Naramore	Therrell
Carter	Hale	Nettles	Turner
Casey	Hardin	O'Daniel	Turnham
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Perloff	Warren
Connell	Hill	Pruitt	Weeks
Cottingham	Hobbie	Reed (T)	Williams
Crawford	Jackson	Reid (R)	Wise
Cross	Jones (F)	Reynolds	Wood
Crowe	King	Robertson	Wynot
Culver	Kinsey	St. John	—79

Nays:

Messrs.:	Cauthen	Falkenburg	McDonald
Adams	Cherner	Gafford	Parker (H)
Adwell	Dill	Gloor	Timmons
Boles	Doss	Jones (E)	Wallace
Boutwell	Ellis	McBride	—18

And the bill:

H. 60. To designate the department of revenue as the agency to compute the adjustment of county and municipal rates of the ad valorem tax for the purpose of stabilizing such tax at its level before equalization; to provide for collection of tax on new and escaped property and to make this Act effective on adoption of a constitutional amendment proposed by this session of the legislature providing for the adjustment of county and municipal tax rates.

This bill affects state revenue in an undetermined amount.

Was taken up.

Mr. Easters offered the following amendment to the bill:

In Section 1 after the last sentence add the following:

Provided further that the state portion of ad valorem tax (6.5 mills) shall be levied at the rate of 6.5 mills and will not be subject to adjustment by the Commissioner of Revenue.

And the amendment was adopted.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Slate
Adams	Culver	Kinsey	Smith (K)
Agee	Doss	Lang	Smith (P)
Baker	Downing	Lutz	Snell
Bank	Drake	McCluskey	Stewart
Barkett	Easters	McCorquodale	Stokes
Bassett	Edwards	McDonald	Straiton
Benton	Erdreich	Mathews	Stubbs
Brassell	Falkenburg	May	Taylor
Carnes	Flippo	Naramore	Therrell
Carter	Goodwin	O'Daniel	Turner
Casey	Grainger	Owens	Turnham
Cauthen	Gray (F)	Parker (T)	Waldrop
Chesnut	Grey (D)	Perloff	Warren
Collins	Hardin	Pruitt	Weeks
Connell	Harris	Reed (T)	Williams
Coshatt	Headley	Reid (R)	Wise
Cottingham	Hill	Reynolds	Wood
Crawford	Hobbie	Robertson	Wynot
Cross	Jackson	St. John	—79

Nay: Mr. McBride. —1

And the bill, H. 60, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 14.

Yeas:

Mr. Speaker	Cottingham	Harris	Mims
Adams	Crawford	Headley	Naramore
Agee	Cross	Hill	O'Daniel
Baker	Crowe	Hobbie	Owens
Bank	Downing	Jackson	Perloff
Barkett	Drake	Jones (F)	Pruitt
Bassett	Easters	King	Reed (T)
Benton	Edwards	Kinsey	Reid (R)
Brassell	Falkenburg	Lang	Reynolds
Carter	Flippo	Lutz	Robertson
Casey	Goodwin	McCluskey	St. John
Cauthen	Grainger	McCorquodale	Slate
Chesnut	Gray (F)	McDonald	Smith (K)
Collins	Grey (D)	Mathews	Smith (P)
Connell	Hale	May	Snell
Coshatt	Hardin	Meeks	Stewart

Stokes	Therrell	Turnham	Williams	
Straiton	Timmons	Waldrop	Wise	
Stubbs	Turner	Warren	Wood	
Taylor				—77

Nays:

Messrs.:	Carnes	Erdreich	Parker (H)	
Boles	Cherner	Gafford	Wallace	
Boutwell	Doss	McBride	Weeks	
Burgess	Ellis	Merrill		—14

And the bill:

H. 59. To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

Was taken up.

Mr. Easters offered the following substiute to the bill:

SYNOPSIS

This bill provides for the valuation and assessment of real and personal property for ad valorem taxation. It provides for the inventory and reappraisal of all taxable property in each county in the state of Alabama; it provides for a homestead exemption; it gives the power and authority to the tax assessors and boards of equalization of each county in this state to equalize value and assess in accordance with law all property in their respective counties; it provides for the funding of a program of equalizing property taxes and authorizes the governing boards of counties in this state to make temporary loans in anticipation of the collection of taxes. It amends Section 131, Title 51, Code of Alabama, 1940, relating to the powers and duties of the Department of Revenue and repeals Sections 132, 133, 134, and 135, Title 51, Code of Alabama, 1940, all which relate to the valuation and assessment of property subject to taxation.

A BILL
TO BE ENTITLED
AN ACT

To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in each county in the state of Alabama; to provide for a homestead exemption; to make it the duty of and to give the power and authority to the tax assessors and boards of equalization of each county in this state to equalize, value and assess in accordance with law all property in their respective counties; for the purpose of funding a program of equalizing property taxes, to authorize the governing bodies of counties in this state to make temporary loans in anticipation of the collection of taxes; to amend Section 131, Title 51, Code of Alabama, 1940, relating to the powers and duties of

the Department of Revenue; and to repeal Sections 132, 133, 134, and 135, Title 51, Code of Alabama, 1940, all relating to the valuation and assessment of property subject to taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. All taxable property within this state shall be assessed for the purpose of taxation as herein provided; and the amount of tax required to be paid per annum hereunder shall not exceed one and two-tenths of one percent of value.

Section 2(a). The term "fair and reasonable market value" shall be construed to be what a willing buyer would pay to a willing seller on the open market with both parties knowing as much as possible about the subject property to be bought or sold.

(b). The "fair and reasonable market value" of property subject to ad valorem tax shall not necessarily be determined by sales price alone, but due weight and consideration shall be given to the present use of the property; to the annual net return from the use or rental of such property; to any and all factors which tend to either depreciate or appreciate the value of such property; the replacement cost of any improvements thereon together with the actual (not book) depreciation of any such improvements as well as the value of any comparable real or personal property on the assessment rolls of the several tax assessors in the State and County insofar as the above listed factors shall apply. Provided that no taxable property shall be considered valueless simply because it is not used or shows no net return from its use or rental and provided further that neither the property owner, the Department of Revenue nor the tax assessors or (County Boards of Review) of the several counties shall be allowed to or allow the use of different values for different purposes with any department or agency of the State or County.

Section 3. Exemptions. In addition to the exemptions for ad valorem taxation now provided by law, household and kitchen furniture and fixtures and personal effects for personal use in the house or usually kept at the home of the owner and not carried as stocks or merchandise shall be exempt from all ad valorem taxation.

Section 4(a). Homesteads are hereby exempted from all state ad valorem taxation. In no case shall the exemption herein apply to more than one person, head of the family, nor shall said exemption exceed five thousand dollars ($5,000) in assessed value nor one hundred sixty acres in area. The homestead exemption provided for herein shall not be allowed until the property owner shows to the satisfaction of the department of revenue that the homestead is properly valued in accordance with the provisions of this Act but he shall be entitled to the exemption provided for in Section 15, Title 51, Code of Alabama, 1940, until such showing.

4(b). Any person who makes a false or fradulent claim concerning the homestead exemption or who swears falsely concerning the farmstead or homestead exemption provided for herein shall be guilty of a misdemeanor and must, on conviction, be fined not more than five hundred dollars ($500.00), and may be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months.

Section 5. The county tax assessors and boards of equalization are directed to reevaluate all the property in their respective counties within a four-year period as follows:

First year: All property having an assessed value of $50,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Second year: All property having an assessed value of $25,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Third year: All property having an assessed value of $10,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Fourth year: All property having an assessed value of less than $10,000 at the present time as shown by the records of the tax assessors of the several counties.

Section 6. It shall be the duty of each tax assessor and board of equalization in each county in this state and they shall have the power and authority in addition to the authority now vested in them by law to equalize, value and assess or cause to be equalized, valued and assessed in accordance with law all property within their respective counties subject to taxation, except the property of public utilities assessed by the department of revenue under the provisions of Title 51, Chapter 11, Code of Alabama, 1940, and such valuations and assessments shall be entered or caused to be entered in the proper assessment book or record or minutes of the proper official, board or tribunal.

Section 7. For the purpose of funding a program of equalizing property taxes in each county in this state, the governing bodies of the counties of this state are hereby authorized, for and in behalf of their respective counties, to make temporary loans in anticipation of the collection of taxes for the year in which such loans are made, and to issue certificates covering such loans and to pledge a sufficient amount of uncollected taxes of the current year to secure the repayment of such loan or loans. All certificates evidencing loans made under the authority of this Act shall be registered by the county treasurer in the order of their issue. The said treasurer shall retain out of the taxes collected for the year and paid over to him a sufficient amount to pay said certificates. Said certificates shall be paid in the order of their registration and they shall be entitled to priority of payment out of the proceeds of the taxes pledged to pay the same. All certificates issued under the authority of this Act and the income therefrom shall be exempt from all taxation.

Section 8. Section 131, Title 51, Code of Alabama, 1940, is amended to read as follows:

Section 131. POWERS AND DUTIES OF DEPARTMENT. It shall be the duty of the department of revenue, and it shall have the power and authority, in addition to the authority now vested in it by law: (a) To have and exercise general and complete supervision and control of the collection of all taxes which it is required by law to collect and of the enforcement of the tax laws which it is required by law to enforce. (b) To confer with, advise and direct the several county tax assessors, county tax collectors, probate judges, boards or commissions, and each and every state and county official charged with the assessment and collection of taxes, as to their duties under the laws of this state. (c) To direct suits to be instituted by the attorney general, circuit or deputy solicitors, or attorneys especially employed for such purposes, with the approval of the attorney general for the collection of any taxes or penalties due the state or any county. (d) To require any public official in the state to report information as may be needful in the work of the department

of revenue in such forms and upon such blanks as the department of revenue may prescribe and furnish. (c) To require individuals, partnerships, associations, corporations, trustees and receivers, and the agents, officers and employees thereof, to furnish information concerning their capital, funded or otherwise, gross receipts, net profits or income, excess profits, current assets and liabilities, values of franchises, intangibles, value of property, earnings, operating and other expenses, bonds, deeds, conduct of business, and all other facts, records, books, papers, documents and other information of any kind demanded which may be needful to ascertain the proper amount of license, privilege, excise, corporation, franchise, income or ad valorem taxes administered by the department of revenue. (f) To summon witnesses to appear and give testimony, and to procure records, books, papers, documents, and all other information of any kind or character required relating to any matter which the department shall have authority to investigate and determine. The witnesses may be summoned by subpoena issued by the commissioner, or by the secretary thereof, in the name of the department, directed to any sheriff of Alabama, and returnable to the department, which subpoena may be served in like manner as subpoenas issued out of any circuit court; or the subpoenas may be served by registered mail, addressed to the witness with return receipt demanded. In either case the subpoenas must be served at least five days previous to the time named therein for the appearance of the witness. Subpoenas duces tecum to any witness to appear and produce any records, books, papers or other documents, may be issued and served in like manner; provided that no officer of any bank or banking institution shall be required to disclose to the department or any of its agents or clerks the deposits of its customers except upon order of court. When any witness has been summoned and refuses or fails to appear or upon appearing refuses to testify, or having been summoned to produce records, books, papers, documents, or other like information, fails or refuses to do so, either or all, shall be guilty of contempt and upon the certificate of such fact to a circuit judge he shall sentence the offender for contempt and shall punish such offender as is now provided for by law in cases of contempt in circuit courts. The department of revenue in cases of refusal to produce such books, documents, records and papers or information of such character as it may deem necessary may apply for mandamus to a judge of the circuit court of the county in which such person has his principal place of business and thereupon it shall be the duty of such circuit judge to require the production of such books, records, papers, documents and such other information as may be required, within ten days from the application of such writ of mandamus. (g) To cause the deposition of witnesses residing within or without the state to be taken upon such notice to the interested party, if any, as the department may prescribe, in like manner as depositions of witnesses are taken in actions pending in circuit court, in any matter which the department has authority to investigate and determine. The depositions shall be taken upon a commission issued by the department of revenue, or the secretary thereof, in the name of the department, and returnable to the department. (h) To investigate the tax system of other states; to thoroughly inform itself upon the subject of taxation and of the progress made in other states and counties in improving their tax system, to formulate and recommend such legislation as may be deemed expedient to prevent evasion of existing tax laws and to secure just and equal taxation and improvements in the system of taxation in this state. (i) To consult and confer with the governor upon the subject of taxation and the administration of the laws, and progress of the work of the department, and to furnish to the governor from time to time such information as he may require. (j) For good reason shown and entered on the minutes of the department, to extend the

time for filing any report or written statement required to be filed with the department of revenue. (k) To inspect and examine at all reasonable business hours any books, documents, records or papers kept by any person, firm, operation, trustee or receiver. (l) to make all assessments of taxes or penalties which it is authorized to enforce or collect. (m) To issue executions and writs of garnishment directed to any sheriff of Alabama, or any final assessment or judgment made or rendered by it, and upon such executions the sheriff shall proceed as in cases issued out of the circuit court and shall make return thereof to the department of revenue within sixty days after the receipt thereof. (n) To perform such other duties as are or may be imposed on it by law.

Section 9. Sections 132, 133, 134 and 135 of Title 51, Code of Alabama 1940 are hereby repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

SUBSTITUTE TABLED

On motion of Mr. Grainger, the substitute offered by Mr. Easters was tabled.

Yeas 57; Nays 43.

Yeas:

Messrs.:	Cross	Headley	Parker (T)	
Adams	Crowe	Hearn	Perloff	
Adwell	Dill	Hill	St. John	
Baker	Doss	Jones (F)	Stewart	
Bank	Downing	King	Stokes	
Boles	Ellis	Lang	Straiton	
Boutwell	Erdreich	Lutz	Stubbs	
Callahan	Falkenburg	McBride	Taylor	
Carter	Flippo	McCluskey	Therrell	
Cauthen	Gafford	McDonald	Timmons	
Cherner	Gloor	Meeks	Waggoner	
Collins	Grainger	Naramore	Wallace	
Connell	Gray (F)	Nettles	Weeks	
Coshatt	Hale	Parker (H)	Wood	
Cottingham	Harris			—57

Nays:

Mr. Speaker	Culver	Mathews	Smith (K)	
Agee	Drake	May	Smith (P)	
Barkett	Easters	Merrill	Snell	
Bassett	Edwards	Mims	Turner	
Benton	Goodwin	O'Daniel	Turnham	
Brassell	Grey (D)	Owens	Waldrop	
Burgess	Hardin	Pruitt	Warren	
Carnes	Jackson	Reid (R)	Williams	
Casey	Jones (E)	Reynolds	Wise	
Chesnut	Kinsey	Robertson	Wynot	
Crawford	McCorquodale	Slate		—43

MOTION TO POSTPONE LOST

The motion of Mr. Williams to postpone the bill, H. 59, to the Fourth Legislative Day was lost.

Yeas 34; Nays 60.

Yeas:

Mr. Speaker	Cross	Hill	Slate
Barkett	Drake	Kinsey	Smith (K)
Bassett	Easters	Mathews	Stubbs
Benton	Edwards	Merrill	Turner
Burgess	Ellis	O'Daniel	Turnham
Carnes	Falkenburg	Owens	Williams
Carter	Goodwin	Pruitt	Wise
Casey	Hardin	Reynolds	Wynot
Chesnut	Headley		

—34

Nays:

Messrs.:	Crowe	Jones (F)	Reid (R)
Adams	Dill	King	Robertson
Agee	Doss	Lang	St. John
Baker	Downing	Lutz	Snell
Bank	Erdreich	McBride	Stokes
Boles	Gafford	McCluskey	Straiton
Boutwell	Gloor	McDonald	Taylor
Brassell	Grainger	May	Therrell
Callahan	Gray (F)	Meeks	Timmons
Cauthen	Grey (D)	Mims	Waggoner
Cherner	Hale	Naramore	Waldrop
Collins	Harris	Nettles	Wallace
Connell	Hearn	Parker (H)	Warren
Coshatt	Jackson	Parker (T)	Weeks
Cottingham	Jones (E)	Perloff	Wood
Crawford			

—60

MOTION TO TEMPORARILY CARRY OVER LOST

The motion of Mr. Williams to temporarily carry over the bill, H. 59, was lost.

Yeas 41; Nays 55.

Yeas:

Mr. Speaker	Drake	Lang	Smith (K)
Barkett	Easters	McCorquodale	Snell
Bassett	Edwards	Mathews	Stewart
Benton	Flippo	Merrill	Stubbs
Burgess	Goodwin	Mims	Turner
Carnes	Hardin	O'Daniel	Turnham
Carter	Headley	Owens	Warren
Casey	Hill	Pruitt	Williams
Chesnut	Hobbie	Reynolds	Wise
Cross	Kinsey	Slate	Wynot
Culver			

—41

Nays:

Messrs.:	Boutwell	Collins	Crowe
Adams	Brassell	Connell	Dill
Agee	Callahan	Coshatt	Doss
Bank	Cauthen	Cottingham	Downing
Boles	Cherner	Crawford	Ellis

Erdreich	Jackson	Meeks	Stokes
Falkenburg	Jones (E)	Naramore	Straiton
Gafford	Jones (F)	Nettles	Taylor
Gloor	King	Parker (H)	Therrell
Grainger	Lutz	Parker (T)	Timmons
Gray (F)	McBride	Perloff	Waggoner
Hale	McCluskey	Reid (R)	Waldrop
Harris	McDonald	St. John	Wallace
Hearn	May	Smith (P)	Wood

—55

MOTION TO ADJOURN LOST

The motion of Mr. Williams that the House adjourn until 2:00 p. m., Tuesday, December 7, 1971, was lost.

Yeas 43; Nays 56.

Yeas:

Mr. Speaker	Connell	Lang	Reynolds
Agee	Cross	McCorquodale	Slate
Bank	Culver	McDonald	Smith (K)
Barkett	Drake	Mathews	Snell
Bassett	Easters	May	Stewart
Benton	Edwards	Merrill	Stubbs
Brassell	Goodwin	O'Daniel	Timmons
Burgess	Hardin	Owens	Turner
Carter	Headley	Pruitt	Weeks
Casey	Hobbie	Reed (T)	Williams
Chesnut	Kinsey	Reid (R)	

—43

Yeas:

Messrs.:	Downing	Jackson	Robertson
Adams	Ellis	Jones (E)	St. John
Baker	Erdreich	Jones (F)	Smith (P)
Boles	Falkenburg	King	Stokes
Boutwell	Flippo	Lutz	Straiton
Callahan	Gafford	McBride	Taylor
Carnes	Gloor	McCluskey	Therrell
Cauthen	Grainger	Meeks	Turnham
Cherner	Gray (F)	Mims	Waggoner
Coshatt	Grey (D)	Naramore	Waldrop
Cottingham	Hale	Nettles	Wallace
Crawford	Harris	Parker (H)	Warren
Crowe	Hearn	Parker (T)	Wood
Dill	Hill	Perloff	Wynot
Doss			

—56

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. On December 2, 1971

H. J. R. 2

H. J. R. 3

H. J. R. 19

H. J. R. 9

H. J. R. 8

H. J. R. 7

H. J. R. 6

H. J. R. 4

H. J. R. 21

JOHN W. PEMBERTON,
Clerk.

H. 59 RESUMED

Mr. Stubbs offered the following substitute to the bill:
SYNOPSIS: To revise the procedure and administration of ad valorem taxation on state and county levels.

A BILL
TO BE ENTITLED
AN ACT

To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. All taxable property within this state shall be assessed for the purpose of taxation as herein provided; and the amount of tax required to be paid per annum hereunder shall not exceed one and two-tenths of one percent of value.

Section 2(a.) The term "fair and reasonable market value" shall be construed to be what a willing buyer would pay to a willing seller on the open market with both parties knowing as much as possible about the subject property to be bought or sold.

(b). The "fair and reasonable market value" of property subject to ad valorem tax shall not necessarily be determined by sales price alone, but due weight and consideration shall be given to the present use of the property; to the annual net return from the use or rental of such property; to any and all factors which tend to either depreciate or appreciate the value of such property; the replacement cost of any improvements thereon together with the actual (not book) depreciation of any such improvements as well as the value of any comparable real or personal property on the assessment rolls of the several tax assessors in the State and County insofar as the above listed factors shall apply. Provided that no taxable property shall be considered valueless simply because it is not used or shows no net return from its use or rental and provided further that neither the property owner, the Department of Revenue nor the tax assessors or (County Boards of Review) of the several

counties shall be allowed to or allow the use of different values for different purposes with any department or agency of the State or County.

Section 3. Exemptions. In addition to the exemptions from ad valorem taxation now provided by law, household and kitchen furniture and fixtures and personal effects for personal use in the house or usually kept at the home of the owner and not carried as stocks of merchandise shall be exempt from all ad valorem taxation.

Section 4 (a). Homesteads are hereby exempted from all state ad valorem taxation. In no case shall the exemption herein apply to more than one person, head of the family, nor shall said exemption exceed five thousand dollars ($5,000) in assessed value nor one hundred sixty acres in area. The homestead exemption provided for herein shall not be allowed until the property owner shows to the satisfaction of the department of revenue that the homestead is properly valued in accordance with the provisions of this Act but he shall be entitled to the exemption provided for in Section 15, Title 51, Code of Alabama 1940, until such showing.

4 (b). Any person who makes a false or fradulent claim concerning the homestead exemption or who swears falsely concerning the farmstead or homestead exemption provided for herein shall be guilty of a misdemeanor and must, on conviction, be fined not more than five-hundred dollars ($500.00), and may be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months.

Section 5. The Department of Revenue is directed to revaluate all the property in the State within a four year period as follows:

First year: All property having an assessed value of $50,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Second year: All property having an assessed value of $25,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Third year: All property having an assessed value of $10,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Fourth year: All property having an assessed value of less than $10,000 at the present time as shown by the records of the tax assessors of the several counties.

Section 6. All property returned for the first time after the effective date of this Act shall be assessed at the rate set forth in HB ..... (Act .....) and the Department of Revenue is directed to reevaluate this property. The Department of Revenue shall have continuing responsibility to review, revise and fix all assessments according to the provisions of HB ....., Act (.....).

Section 7. Tax Assessors. The several tax assessors shall perform the duties now prescribed by law, except those in conflict with the provisions of this Act, and such additional duties as may be placed on them by this Act. Such duties shall, however, be performed in accordance with procedures set forth in such directives and in accordance with such rules and regulations not contrary to law as may be adopted and promulgated by the Department of Revenue.

Section 8. In any county where the department of revenue deems it advisable for a more efficient and convenient system of assessing real property the following procedures shall be put into operation.

Each lot or parcel of land, together with the improvements thereon, shall be assessed to the property owner last assessing said property, as shown by the tax assessor's records in said county, or to the owner of record. The failure of the tax assessor to assess said property against the true owner of said property shall not invalidate said assessment. The work of making said assessment as provided for herein shall be completed by January first of said taxable year. The assessment shall show a description of the property assessed, the name of the owner to whom said property is assessed, the assessed valuation for the preceding tax year, and such other information as the Department of Revenue deems proper for the proper assessment of said property. It shall be the duty of any owner of any real estate on which improvements have been made or on which improvements have been removed or destroyed or partially removed or destroyed during any taxable year to notify the tax assessor on or before December first of all such changes made subsequent to October first of the preceding tax year. In assessing any lot or parcel of land to any owner, the assessor shall assess to him the largest contiguous lot or parcel of land owned by him, except upon request of the owner, the assessor shall assess separately any lot or parcel of land that has been subdivided and a map thereof has been filed for record, or shall assess separately any lot or parcel of land of reasonable size and shape. The tax assessor shall not be required to carry forward on his records the date and amount of assessment of any property subject to assessment in any year in which there has been no change in the assessed value or ownership of the property. When more than one person assesses the same property and any one of such persons fails to pay taxes thereon for a period of two years, the tax assessor may, except pursuant to an order of the court, refuse to assess said property in the name of such person. Any person who owns personal property subject to ad valorem tax may make a return of such property to the tax assessor by mail or by an authorized agent having knowledge of such taxable property.

Section 9. The provisions of Title 51, Sections 79, 83, 84, 85, 86, and 87, Code of Alabama 1940, recompiled 1958, are hereby incorporated by reference thereto and made a part of this Act as if fully set out herein and shall be made applicable to any county in the state deemed advisable by the Department of Revenue.

Section 10. When the Tax assessor shall have completed the tax roll of property for taxation in his county, which shall be not later than the last Monday in February of each year, he shall certify over his signature to the correctness of such roll, and shall at once notify the Department of Revenue by certified mail that he has completed his assessment roll and that the tax returns are ready for review and inspection by the Department of Revenue as provided for in this Act.

Section 11. In addition to all the powers and duties of the Department of Revenue now provided by law, the Department of Revenue shall inspect, review, revise and fix the value of all the property returned to or listed with the tax assessor for taxation each year. In cases where the Department of Revenue has fixed a value for assessment, such value shall be entered on the tax return of the taxpayer. The tax assessor shall notify each owner of property in the county of the value fixed where the value of the property has been increased over the value for the next preceding year. The tax assessor shall give notice of such increase to the property owner by certified mail return re-

ceipt demanded or by personal service, such notice to be signed by the Department of Revenue. Such property owner may file in writing with the tax assessor within ten days of the date of receipt of such notice objections to the valuation fixed as herein provided. It shall be the duty of the Department of Revenue as soon as objections are filed with the tax assessor to attempt to adjust, equalize and settle said objections. The Department of Revenue shall notify each such protesting taxpayer by mail at the address shown on the tax return of a time and place for hearing such objections, such hearing to be held in the county where the property is located, then and there to attempt to adjust such objections. If the property owner at such hearing agrees with the Department of Revenue on a valuation and consents in writing thereto on his return, such valuation shall be final. If at such hearing the property owner disagrees with the valuation, the matter shall be docketed by the Tax assessor to be heard by the county board of review provided for by this Act. Provided, however, nothing in this section shall be construed as changing the method by which the property of public utilities and motor vehicles are now required by law to be assessed.

Section 12. There shall be in each county a county board of review to consist of three members, each of whom shall have been a resident of the county in which he serves for at least five years prior to his appointment. Members of the several county boards of review shall be appointed for a term of four years; provided, however, they shall hold office until their successors are appointed and qualified.

Section 13 (a). During the month of August, 1971, and during the month of August of each fourth year thereafter, the governing body of each county, the county board of education, and the governing body of the largest municipality in each county, shall each submit in writing to the state commissioner of revenue, the names of three persons, and the governing body of each other incorporated municipality within the county shall in like manner submit the name of one person, all of whom are residents of the county, and who are each owners of taxable property which is located within this state, and who are each qualified electors in said county, and who shall have reached their thirtienth birthday on the day of their taking office, and who shall be a real estate broker or real estate salesman licensed under the provisions of Title 46, Section 311(1), et seq., Code of Alabama 1940, recompiled 1958, where available for appointment or who shall be knowledgeable in property values by reason of having had not less than five years of experience in dealing in real property or who shall have had not less than five years of responsible experience in a business or in a position which qualifies him for such position. In those counties where there is no incorporated municipality, the governing body of said county shall nominate six persons who meet the above qualifications for appointment to membership on such county board of review. From each group of three nominees submitted by the county governing bodies and the county board of education and from the total group of nominees submitted by the governing bodies of the municipalities, the commissioner of revenue, within thrity days after receipt of such lists of nominees, with the approval of the governor shall appoint one person to membership on the county board of review so that the membership of said board shall be composed of three members, one of whom was nominated by the governing body of the county, one by the county board of education and one by the governing body of the incorporated municipalities in the county, except however, that in those counties having no incorporated municipality two of the three members of said board shall be selected from the six nominees of the county governing body.

Section 13 (b). Provided further that any such member of boards of equalization who have been appointed according to the provisions of Section 88 and Section 89, Title 51, Code of Alabama 1940, and who are serving in such capacity at the time of the passage of this Act may serve without reappointment on the board of review as set forth in this Act, provided they take the oath of office prescribed in Section 14 of this Act.

Section 14. Oath of Members. Each person appointed to membership on any county board of review shall, before entering upon the duties of such office, take and subscribe to the following oath, in addition to the oath required of regularly elected state and county officials: "I do solemnly swear that I will faithfully discharge the duties imposed upon me by law, as a member of the county board of review, and that I will adjust, equalize and fix the taxable value of all property submitted for review to the board of which I am a member, on a basis of its value to the best of my knowledge and ability, so help me God." Said oath, together with the other official oath required of such board member shall be filed for record in the office of the judge of probate of the county in which such board member is to serve.

Section 15. How Vacancies Filled. Should any person appointed to membership of any board of review fail or refuse to take and subscribe to the oaths required by the preceding section, within five days after being notified of his appointment to membership on said board, or shall for any other reason herein enumerated become disqualified to serve as a member of said board, or should a vacancy on any board occur from death, resignation or any other cause, then the commissioner of revenue shall select from the remaining nominees on the list from which such original nominee was taken a person to fill the position to which such disqualified person was first appointed, or to fill the vacancy on said board. The proper nominating body may, however, make additional nominations so that the total of its nominees from which appointments may be made to fill vacancies shall be brought up to a total of not more than three such nominees. Should the remaining nominees be, for any reason, disqualified to serve on said board, then the commissioner of revenue shall request the proper nominating body to name three additional persons eligible to serve on said board and from such additional nominees a person shall be selected to fill the vacancy occasioned by the disqualification of the original nominee or nominees or other vacancy. Any appointment to fill a vacancy on any board of review shall be for the unexpired term only.

Section 16. Members Not to Hold Other Governmental Positions. No member of any county board of review shall hold employment or office of profit with the United States, the State of Alabama, any county or other political subdivision of said state, or with any board, department or other agency of the United States, of the State of Alabama, of any county or other political subdivision of said state or with any county school board or with any municipality, while holding office as a member of said board.

Section 17. The county tax assessor shall be and serve as the clerk of the county board of review, and he shall not receive any compensation for his services. He shall have no vote or voice in the government or business of said board.

Section 18. The county boards of review shall meet to hear objections to the value of property as fixed by the Department of Revenue at the times and places to be determined and fixed by the Department of Revenue. Each member shall receive for his services not less than thirty dollars ($30.00) nor more than seventy-five dollars ($75.00) for each day he performs the duties

of the office, the amount of compensation to be fixed by the Department of Revenue within the foregoing limits. Each county board of review at its first meeting after the first day of January each year, shall elect one of its members who shall serve as the chairman of the county board of review for the ensuing year. Compensation of the members of the county boards of review shall be made upon claim of the board member, duly verified as other claims against the state, and approved by the Department of Revenue.

Section 19. For the purpose of hearing objections docketed to be heard by the county board of review, the county board of review shall sit at the time and place determined and fixed by the Department of Revenue to dispose of all cases where objections to valuations have been filed in writing by any property owner as provided in this Act. At such sitting the property owner may appear in person or by agent or attorney and produce evidence in support of objections, if any, to any valuation heretofore made, and it shall be the duty of the county board of review to examine under oath any complaining property owner and to examine any other witnesses under oath as to the value of the property of such owner, and if it is found from the evidence that the valuation theretofore placed was not the value of such property, whether more or less, than the said valuation shall be corrected and such corrected amount shall constitute the value on which such property shall be assessed. The Department of Revenue shall fix the minimum and maximum number of days that each board of review shall meet.

Section 20. In event the board of review in any county fails to meet and/or refuses to act, such refusal shall constitute an agreement by the board of review with the assessment as fixed by the Department of Revenue. In such event, the taxpayer shall have the right of appeal direct to the Circuit Court as provided in this Act. Provided likewise that any board of review or board member who refuses to meet or act shall receive no compensation.

Section 21. Any other provisions of law to the contrary notwithstanding such value shall be final not subject to change except on appeal to a circuit court as provided herein.

Section 22. Whenever the tax assessor or the Department of Revenue discovers that any property, including any improvements on real property assessed as vacant property, has escaped taxation within five years next preceding the current year, he or it, as the case may be, shall list and return said property for assessment for the years during which same has escaped taxation, and shall also endorse on such returns the year or years for which the property has escaped taxation. The tax assessor, where he makes such discovery, shall give notice of such escape assessment to the Department of Revenue in the manner directed by said department. The Department of Revenue shall value said property and shall direct the tax assessor to give notice of such escape assessment by certified mail, return receipt demanded, to such property owner or his agent or attorney. The property owner shall be given notice and shall have the right of objection, review and appeal provided for with respect to property values fixed in accordance with the provisions of this Act. There shall be added to any tax due pursuant to the provisions of this section, a penalty equal to ten percent of such tax.

Section 23. Tax Assessor to Enter Corrected Values. When the work of hearing objections against values fixed on taxable property shall have been completed by the board of review, the tax assessor shall enter upon the tax return lists the corrected values, if any changes have been made therein, which changed or altered value shall be the taxable value of the property or properties, unless an appeal is taken as herein provided.

Section 24. The failure of the tax assessor, board of review, or the Department of Revenue or its agents to perform any of the duties of assessing and valuing property or hearing objections to assessment valuations at the time prescribed or to complete such duties within the time prescribed by this Act, shall not invalidate any assessment or any act of such tax assessor, board of review or department of revenue or its agents made or done after the expiration of such time.

Section 25. The board of review shall have the same subpoena power now vested in the Department of Revenue by the provisions of Title 51, Section 131, Code of Alabama 1940.

Section 26. Any hearing conducted by a county board of review may be closed to the public at the discretion of such board or the property owner.

Section 27. Appeals. In cases where objections have been made by any taxpayer, his agent or attorney as provided herein to the taxable value fixed by the board of review on any property assessed against such taxpayer, and such objections have been overruled by said board, such taxpayer, his agent or attorney may take an appeal from the action of said board in overruling his objections to such valuation to the circuit court of the county in which the taxpayer's property is located. Notice of final assessment fixed by the board of review shall be given by certified mail, return receipt requested.

Section 28. Procedure on Appeal. All appeals from the rulings of the county board of review fixing value of property shall be taken within thrity days after the final decision of said board fixing the assessed valuation as provided in this Act. The taxpayer shall file notice of said appeal with the clerk of the county board of review and with clerk of the circuit court, and shall file bond to be filed with and approved by the clerk of the circuit court, conditioned to pay all costs and the taxpayer or the state shall have the right to demand a trial by jury by filing a written demand therefor, within ten days after the appeal is taken. When an appeal is taken the taxpayer shall pay the taxes due as fixed for assessment for the preceding tax year before the same becomes delinquent, and upon failure to do so, the court upon motion ex mero motu must dismiss the appeal, unless at the time of taking the appeal the taxpayer has executed a supersedeas bond with sufficient sureties to be approved by the clerk of the circuit court in double the amount of taxes, payable to the state of Alabama conditioned to pay all taxes, interest and costs due the state, county or any agency or subdivision thereof. Such appeals shall be preferred cases. Provided that if from all the evidence the court be of the opinion that the valuation is either too high or too low, it shall render a judgment or decree fixing such valuation as it may deem fit. The circuit court shall so far as practicable hear such appeals according to the general rules and procedure of courts, but when acting under this Act or acquiring jurisdiction as provided herein, it shall have no power to enjoin or suspend the collection of any taxes due. It shall decide all questions as to the Legality of the assessment and the valuation of the property. Provided the original assessment sheet or a certified copy, showing the assessment by the county board of review shall be sufficient appearance by the state and shall make out a prima facie case. From the judgment of the circuit court; either the state or the taxpayer may appeal direct to the supreme court of Alabama within thirty days of the rendition of such judgment. Upon such appeal to the circuit court or to the supreme court, the court shall ascertain and determine by its judgment or decree, the amount of tax which was invalid or which was excessive both as to the amount paid to the state, counties, county boards of education, municipalities or other governmental agencies receiving any part of such taxes, and

thereupon, upon presentation of a certified copy of the judgment to the comptroller, it shall be the duty of the comptroller to draw his warrant on the state treasurer in favor of such taxpayer for such an amount as the judgment of the court shall ascertain and declare has been erroneously paid to the state together with interest from the date of payment, and each warrant of the comptroller shall be paid out of any funds in the state treasury as a current obligation of the year in which said refund is ordered. Upon presentation of a certified copy of such judgment to the court of county commissioners or other governing body of any county, or upon presentation of a certified copy of such judgment to a county board of education, or to the city council or other governing body of any municipality, or upon presentation of a certified copy to the governing body of any other agency of the state which may have received any part of said tax erroneously paid as determined by the judgment it shall be the duty of the said court of county commissioners or other governmental body of the county, or the county board of education or of the city council or other governmental body of a municipality, or of the governmental body of any other agency receiving any part of such taxes to draw its warrants on the treasurer of such county, school board, municipality or other agency in favor of the taxpayer for such amount of said tax as may have been erroneously paid to such county, school board, municipality or other agency, together with interest from the date of payment, and such amount shall constitute a preferred claim of the current year in which said refund is ordered, and the respective treasurers are hereby required to refund such amounts received by said county, school board, municipality, or other agency, with interest as herein provided. In the event the judgment of the court shall fix an assessment greater than that upon which the taxes have been paid, the court shall fix and determine the amount of such excess and the taxpayer and the sureties on his appeal bond shall be adjudged to pay taxes due by reason of such increased assessment with interest from the date of judgment and the lien and priorities of the state and counties or other agencies shall apply to such additional amount as in other cases. The court in fixing the assessment shall order the assessing authorities to apportion the same and the collecting authorities to collect taxes thereon for the several taxing subdivisions in the manner provided by law.

Section 29. Representation of State on Appeal; State and County Officials Not To Represent Taxpayers. The district attorney and county solicitors, together with any special counsel employed by the Department of Revenue, with the approval of the governor, and attorney general, shall represent the state and county in all tax cases appealed to the circuit court. The district attorney and county solicitors and state and county officials are prohibited from representing taxpayers in any controversy between such taxpayer and the state or county. Provided they may appear where the value of their own property is in controversy.

Section 30. The costs of carrying out the provisions of this Act shall be paid by the Department of Revenue from funds appropriated by the legislature for that purpose. In the event the legislature fails to provide funds necessary for the cost of carrying out the provisions of this act, the Department of Revenue shall, no later than the first day of January of each year bill to each county its part of such cost.

In no event shall said cost be greater than actual expenses incurred by the Department of Revenue, and said cost shall not exceed fifty percent of the increase in all ad valorem tax revenue resulting from the valuation work done in each county in the preceding tax year. The first billing will cover the

fiscal year ending September 30, 1972. Each county shall thereupon bill to each municipality therein that part of the cost to the county which is based on the ratio of the revenue received by the municipality to the total of all revenue received by the county and all of the municipalities therein. The cost of carrying out the provisions of this Act shall be the first charge against all ad valorem taxes collected. Where any proration of costs is provided for in this Act, it shall be the responsibility of the governing body of each county or municipality to prorate that part of the cost prorated to it which results from a special levy of ad valorem tax to the agency, board, school district, school system or other instrumentality which receives the revenue from such special levy. The amounts of costs which are required to be prorated to the counties and the municipalities by the provisions of this section shall be paid within twenty days of the notice of the amount. If not paid within such period, the state or the county to which such amount is due shall certify the fact of nonpayment to the state comptroller who shall pay to the Department of Revenue or the county, as the case may be, the amount due from any funds then held by him to the credit of the debtor or from any funds subsequently received by him to be transmitted to the debtor. Provided further, after receipt by the comptroller of the certificate provided for in this section, no funds shall thereafter be transmitted by him to such debtor until such indebtedness has been paid in full.

Section 31. If any officer shall fail to perform any of the duties required of him by law or in accordance with the directives or rules or regulations adopted by the Department of Revenue, the Department of Revenue may have such duties which the officer has failed to perform done by agents or employees of the Department of Revenue, the cost of which shall be paid from any amounts then due or which may become due to such officer. If any officer refuses to perform the duties of his office, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each offense and in addition may be imprisoned in the county jail for a period not to exceed six months. Any person who shall willfully destroy, deface or conceal any record relating to any matter covered by the provisions of this Act, with the intent of defeating the purpose of this Act, shall be guilty of a felony and shall upon conviction be fined not less than one thousand dollars ($1,000.00) nor more than five thousand dollars ($5,000.00) or punished by imprisonment in the penitentiary for not less than two nor more than five years, or both.

Section 32. Any person who is a full time, permanent employee of any county board of equalization who has been continuously employed by such county board of equalization for not less than twelve months prior to the effective date of this Act who by the effect of this Act shall be deprived of that employment may at his option be employed by the Department of Revenue in a classification and for a salary determined to be appropriate by the state personnel department and if such employment with the Department of Revenue is accepted such person shall be covered into the state merit system in such classification without further proof of qualification for such employment. If such person shall have been, prior to the effective date of this Act, a member of a county retirement system under which he could have become eligible for retirement benefits and shall accept employment with the Department of Revenue under the provisions of this section, the retirement system of which he was previously a member shall transfer to the Alabama employees' retirement system the amount of such person's contributions thereto and any other asset including but not limited to employer contributions to the sys-

tem to which he is entitled along with any amount of accrued income from the investment of his contributions and the contributions made to the fund to his credit by his employer. On receipt of the funds described above, the Alabama employees' retirement system shall determine the amount necessary to supplement the assets so transferred to provide assets in the Alabama employees' retirement system necessary to give such employee the same retirement benefits that any other state employee of the same age and with like term of employment and salary history is entitled. The supplemental amount required, if any, shall be paid by the Department of Revenue as a miscellaneous expense from the funds appropriated for the operation of the Department of Revenue. For the purpose of this section the phrase "terms of employment" shall mean the period or periods of employment during which the employee has contributed to the county retirement system under which he was covered during the time he was employed by the county board of equalization on the effective date of this Act. The trustees or other administrative head of the county retirement system shall certify the proportions of the funds transferred as herein provided which represents the accumulated contributions of the member and furnish a certified transcript of the employee's employment record giving date of employment, salary at time of employment and dates of salary changes and shall also clearly indicate any periods subsequent to initial employment during which the employee was not a full time employee covered under the retirement system.

Section 33. The Department of Revenue may appeal directly to the Circuit Court of the County in which the property is situated from any final assessed valuation of the board of review within thrity days of the date of the final assessment.

Section 34. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 35. The following Acts of the legislature, the following sections, as last amended, of Title 51, Code of Alabama 1940, recompiled 1958, and any other laws or parts of laws in conflict with the provisions of this Act are hereby repealed:

Sections 17, 46, 53, 55, 56, 57, 78, 80, 81, 82, 87(1), 87(2), 87(2a), 87(3), through 87(7), inclusive, 88 through 110, inclusive, 110(1), 111, 112, 113, 132 through 135, inclusive, Act No. 344, Acts of Alabama 1951, page 632; Act No. 316, Acts of Alabama 1953, page 373; Act No. 452, Acts of Alabama 1957, page 613; Act No. 502, Acts of Alabama 1967, page 1215; Act No. 934, Acts of Alabama 1961, page 1506; Act No. 499, Acts of Alabama 1963, page 1067; Act No. 259, Acts of Alabama 1943, page 230; and Act No. 332, Acts of Alabama 1945, page 545.

Section 36. This Act shall become effective on October 1, 1971.

ADJOURNMENT

On motion of Mr. Owens, the House adjourned until 2:00 o'clock P. M., Tuesday, December 7, 1971.

Yeas 48; Nays 42.

Yeas:

Mr. Speaker	Bank	Bassett	Boles
Adwell	Barkett	Benton	Brassell

Burgess	Easters	Kinsey	Smith (K)
Callahan	Edwards	McCorquodale	Snell
Carter	Ellis	McDonald	Stewart
Casey	Falkenburg	Merrill	Stubbs
Chesnut	Gafford	O'Daniel	Therrell
Connell	Gloor	Owens	Timmons
Crawford	Goodwin	Pruitt	Turner
Cross	Grey (D)	Reed (T)	Wallace
Culver	Hardin	Reid (R)	Weeks
Dill	Headley	Slate	Williams

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Nays:

Messrs.:	Downing	Lutz	Smith (P)
Adams	Erdreich	McBride	Stokes
Agee	Flippo	McCluskey	Straiton
Baker	Grainger	May	Taylor
Boutwell	Hale	Meeks	Turnham
Carnes	Harris	Mims	Waggoner
Cauthen	Hearn	Naramore	Waldrop
Cherner	Hill	Nettles	Warren
Cottingham	Jackson	Parker (H)	Wood
Crowe	Jones (F)	Parker (T)	Wynot
Doss	King	St. John	

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FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, December 7, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor, Forest Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Callahan	Culver	Goodwin
Adams	Carnes	Dill	Grainger
Adwell	Carter	Doss	Gray (F)
Agee	Casey	Downing	Grey (D)
Baker	Cauthen	Drake	Hale
Bank	Cherner	Easters	Hardin
Barkett	Chesnut	Edwards	Harris
Bassett	Collins	Ellis	Headley
Benton	Connell	Erdreich	Hearn
Boles	Coshatt	Falkenburg	Hill
Boutwell	Cottingham	Fite	Hobbie
Bowers	Crawford	Flippo	Jackson
Brassell	Cross	Gafford	Jones (E)
Burgess	Crowe	Gloor	Jones (F)

King	Mims	Robertson	Timmons
Kinsey	Naramore	St. John	Turner
Lang	O'Daniel	Slate	Turnham
Lutz	Owens	Smith (K)	Waggoner
McBride	Parker (H)	Smith (P)	Waldrop
McCluskey	Parker (T)	Snell	Wallace
McCorquodale	Perloff	Stewart	Warren
McDonald	Pruitt	Stokes	Weeks
Manley	Reed (T)	Straiton	Williams
Mathews	Reid (R)	Stubbs	Wise
May	Reynolds	Taylor	Wood
Meeks	Roberts	Therrell	Wynot
Merrill			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1. (With Substitute): To amend Act No. 74, Acts of Alabama, Special Session 1961 approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 4. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 157. (With Amendment): To amend Act No. 96, H. 17 of the Special Session of 1971, which raises revenue and for such purpose levies a privilege or license tax against persons on account of engaging in the business of leasing or renting tangible personal property, approved May 11, 1971, so as to provide that the department of revenue may authorize and provide for the payment of such tax quarterly instead of on a monthly basis.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 104. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

H. 112. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

H. 123. To authorize the district attorney having jurisdiction in any county in the State of Alabama with a population of not less than 42,000 nor more than 49,500 to appoint an investigator or investigators and to prescribe their duties.

H. 140. To amend Act No. 1695, H. 2263, approved September 17, 1971, which relates to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the most recent federal decennial census, and creates a civil service board in said counties to assure the more efficient operation of the sheriff's department; amending such bill in relation to the work load of uniformed deputy sheriffs.

H. 151. Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

H. 152. To Amend Section 35 of Act No. 30, approved May 31, 1963, Relating to The Official Court Reporter For The County Court of Marshall County, Alabama.

H. 153. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-second Judicial Circuit of Alabama.

H. 154. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the thirty-second judicial circuit.

H. 155. Relating to judicial procedure in the Thirty-second judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

H. 156. To abolish the drawing of special venires in capital cases in the Thirty-second Judicial Circuit of Alabama.

H. 158. Relating to counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; to authorize the county governing bodies of such counties to appropriate $675.00 each for the relief of J. W. Messer, Sr., J. M. Noles, and Doug Allen.

S. 3. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

S. 23. To authorize county solid waste and park and recreation authorities in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to pay to the county health officer or his administrative assistant a monthly expense allowance.

S. 38. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

S. 39. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

S. 57. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

S. 58. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

S. 69. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 12 deputy sheriffs, and require one chief and two deputy jailors, and to prescribe the compensation of such deputies and jailors.

S. 70. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax collector of such counties.

S. 73. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the Judge of Probate of such counties.

S. 74. Relating to counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance to the coroner of said counties in the amount of $75.00 per month.

S. 75. To provide for the reinstatement of certain persons holding permanent appointments in the classified service of the City of Dothan after having left such classified service to serve as heads of a department of government of such city or county with all their former status and rights pertaining thereto.

H. 137 RE-REFERRED

On motion of Mr. Turner, the bill, H. 137, was re-referred from the Standing Committee on Local Legislation No. 1 to the Standing Committee on Ways and Means.

H. 148 RE-REFERRED

On motion of Mr. Brassell, the bill, H. 148, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Mr. Reid (R):

H. J. R. 41. CONGRATULATING THE ONEONTA FOOTBALL TEAM FOR BEING CROWNED CO-CHAMPIONS OF ALABAMA HIGH SCHOOL FOOTBALL FOR CLASS 2A.

WHEREAS the Oneonta High School football team, "The Redskins," did truly have an outstanding season and won a share of the class 2A state football championship; and

WHEREAS this football team ingrained with inordinate ability and overwhelming pride completed the regular season with a record of 10-0-0; and

WHEREAS this football team fought its way to the state championship by defeating two top opponents and battling Abbeville to a scoreless tie (0-0); and

WHEREAS in the first quarter of the state championship game Oneonta controlled the football for an amazing ten minutes, grinding out 81 yards and seven first downs; and

WHEREAS this goal was achieved under the ingenious and glowing leadership of Head Coach Hugh O'Shields who was aided by his crafty Assistant Coach, Andrew Page; and

WHEREAS coaches O'Shields and Page led Oneonta High School to the height and wonder of Mount Everest; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature wishes to extend its congratulations to the Oneonta High School football team for their

extraordinary accomplishment of being crowned co-champions of Alabama High School football for class 2A.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the Oneonta football team, Head Coach Hugh O'Shields, and Assistant Coach Andrew Page, the Superintendent of the Oneonta School System, Mr. Hubert L. Street and the local news media.

On motion of Mr. Reid (R), the rules were suspended and the resolution, H. J. R. 41, was adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:
By Messrs. Robertson, Parker (T), Bank and Culver:

H. 160. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty or perjury or false statement for failing to reveal such proceedings."

Local Legislation No. 1.

By Messrs. Kinsey and Benton:

H. 161. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing that the county governing body may authorize the probate judge, tax assessor and tax collector to operate branch offices in the southern portion of such county; and to provide that such offices shall remain open for the transaction of business during certain periods of the year and during certain hours of each day.

Local Legislation No. 1.

By Mr. Bank:

H. 162. To Amend Act #2, (Second Special Session) 1971. So as to change the appropriation made in Section 2, F (23) (e) thereof.

Ways and Means.

By Messrs. Bank, Robertson, Culver and Parker (T):

H. 163. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and

with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."

Local Legislation No. 1.

By Messrs. Cherner, Parker (H) and Crowe:

H. 164. Proposing an amendment to the Constitution of 1901 relative to the power to levy ad valorem or property tax.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Boles:

H. 165. To provide that any business establishment that gives trading stamps or coupons to customers shall have a place within such establishment to redeem the stamps in either cash or merchandise and that any person, firm or corporation violating the provisions of this act shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of not less than $50.00.

Commerce and Transportation.

By Messrs. Boles and Wallace:

H. 166. To provide further for unemployment benefits; to authorize and require payment of unemployment benefits to an employee of any business which ceases or curtails operations because of pollution.

Ways and Means.

By Messrs. Merrill, Casey, McCorquodale, St. John, Bank, Hobbie, Cottingham, Pruitt and Wallace:

H. 167. To provide for the exemption from ad valorem taxation of the home of any person who is sixty-five years of age or older and who had an adjusted gross income of less than four thousand dollars for income tax purposes for the last preceding year.

Judiciary.

By Messrs. Wood, Erdreich and Doss:

H. 168. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and

materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (title 47, Sections 286–313).

Commerce and Transportation.

By Mr. Hobbie:

H. 169. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled:

"To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

Local Government.

By Messrs. Easters, Drake, Culver, Bank, St. John, Crowe, Turnham, Mathews and Hobbie:

H. 170. To provide that all former Governors of the State of Alabama upon reaching age sixty (60) shall be entitled to monthly retirement pay out of the General Fund of the State Treasury.

Ways and Means.

By Messrs. Crowe and Naramore:

H. 171. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Hale, Nettles, Stewart, Turnham, Erdreich, Flippo, Straiton, Bank, Cherner, Hobbie, King, Hill, Grainger, Jones (F), McBride, Parker (T), Culver, Weeks, Boutwell, Waggoner, Carnes, Turner, McDonald, McCorquodale and Robertson:

H. 172. To provide that any person who is qualified to vote an absentee ballot at any election held in this State because of attendance at an institution of higher learning outside of the county of his residence, or the spouse or child of such person, shall automatically be mailed an absentee ballot before each election.

Constitution and Elections.

By Messrs. McDonald and St. John:

H. 173. Relating to counties having a population of not less than

53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

Local Legislation No. 1.

By Messrs. Downing, Stokes and Roberts:

H. 174. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof, and to authorize and provide for the payment of a monthly expense allowance for such Register.

Local Legislation No. 3.

By Messrs. Hill and Flippo:

H. 175. To amend the title and Sections 1, 3, and 14 of Act No. 306, H. 356, 1963 Regular Session (Acts 1963, p. 775) which regulated the practice of barbering and established a County Board of Barber Commissioners in certain counties classified on a population basis; and making the provisions of this amendatory act retroactive to September 1, 1971.

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 176. To provide that certain security guards and members of school janitorial staffs in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer, of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. Hill and Flippo:

H. 177. To amend Section 2 of Act No. 2307, S. 250, Regular Session 1971, which Act placed certain employees of school boards or public colleges under the Teachers' Retirement System, by allowing those employees currently covered under the State Employees' Retirement System to transfer to the Teachers' Retirement System.

Ways and Means.

By Messrs. Hill and Flippo:

H. 178. Relating to licenses regarding the selling of live fish, fish eggs, minnows for wholesale and retail dealers.

Conservation.

By Messrs. McDonald, Lyons, McBride and Turnham:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Education.

By Messrs. Drake and St. John:

H. 180. To amend the title and Sections 1 and 4 of Act No. 1134, S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Turnham, Brassell, Adams, Agee, Waggoner, Wallace and Ellis:

H. J. R. 42. COMMENDING TERRY BEASLEY FOR AN OUTSTANDING CAREER AT AUBURN UNIVERSITY

WHEREAS Terry Beasley is completing an outstanding football season and career at Auburn University; and

WHEREAS Terry Beasley using his blazing speed, slippery moves and quick hands established many individual Auburn University season receiving records, including most passes caught in a season, 55; most yards receiving, 1,051; most yards averaged by receiver, 20.2; most touchdowns receiving 12; and

WHEREAS Terry Beasley during his spectacular career, also established the following Auburn University individual career records; most receiving yards, 2,507 yards; most touchdowns receiving, 29; and

WHEREAS Terry Beasley has gained national attention for his brilliant football talent by being selected a consensus all-American; and

WHEREAS Terry Beasley has exhibited the unusual knack of changing direction sharply without losing speed which along with his sure hands has brought unanimous agreement from amazed observers that he is the best football player at his position in the history of the Southeastern Conference; and

WHEREAS Terry Beasley has demonstrated the poise, leadership, and gracious manners that are so much a part of his Southern heritage; and

WHEREAS his greatest "pass-reception" is his beautiful and gracious wife, Jo Ann, who has blessed him with a daughter, Windy; and

WHEREAS this fine young athlete has brought national attention and honor to Auburn University and his home State of Alabama and has shown the nation that there is no diamond as classy as a young gentleman of Southern heritage; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its congratulations and thanks to Terry Beasley for his fabulous athletic career at Auburn University.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Terry Beasley and his family.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 42, was adopted.

Also:

By Messrs. Turnham, Brassell, Agee, Adams, Waggoner, Wallace and Ellis:

H. J. R. 43. COMMENDING PAT SULLIVAN FOR AN OUTSTANDING CAREER AT AUBURN UNIVERSITY

WHEREAS Pat Sullivan is completing an outstanding football season and career at Auburn University; and

WHEREAS Pat Sullivan performing brilliantly, established many records in his career including a new NCAA record for yards gained per play, 8.57. Auburn University individual season records that he holds includes most passes attempted, 281 attempted in 1970, most passes completed, 167 passes completed in 1970, most passing yards, 2,586 yards in 1970, most touchdowns by passing, 20 touchdowns by passing in 1971; and

WHEREAS Pat Sullivan established many individual career records including most total offense of 6,843 yards, most passes attempted of 819, most passes completed of 452, most passing yards of 6,348 yards and most touchdown passes at 53; and

WHEREAS Pat Sullivan has achieved the highest honor that a college football player can attain by winning the 37th annual John H. Heisman Trophy, emblematic of the top football player in the nation for 1971; and

WHEREAS Pat Sullivan is not only an exceptional football player but is also an excellent student, leader and fine Christian young man. He is a member of Omicron Delta Kappa and Spades, the two highest men's honorary societies on campus and is also a member of Who's Who in American Colleges and Universities; and

WHEREAS Pat Sullivan sets a fine example for our youths by devoting most of his free time to making personal appearances for various charities and he is in constant demand as a speaker for Fellowship of Christian Athlete groups as well as Quarterback Clubs; and

WHEREAS Pat Sullivan is a devoted family man, being united with a beautiful and charming southern lady, the former Jean Hicks of Birmingham, who was blessed him with a sparkling daughter, Kim. Perhaps this is his greatest achievement; and

WHEREAS this fine young athlete has brought national attention and honor to Auburn University and his home State of Alabama, and has shown

the nation that there is no diamond as classy as a young gentleman of southern heritage; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its congratulations and thanks to Pat Sullivan for his fabulous athletic career at Auburn University.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Pat Sullivan and his family.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 43, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 4. Mourning the death of James Lebus Casey.

Also:

S. J. R. 5. Congratulating Pat Sullivan on his Heisman Trophy Award.

Also:

S. J. R. 9. Congratulating both the University of Alabama and Auburn University for their successes during the 1971 football season.

Also:

S. J. R. 10. Inviting Pat Sullivan, Terry Beasley, Johnny Musso and John Hannah, along with Coach Jordan and Coach Bryant to appear before a joint session of the Legislature.

Also:

S. J. R. 14. Declaring December 3, 1971, "Johnny Musso Day".

Also:

S. J. R. 15. Congratulating both Livingston University and Arkansas Tech for their successes during the 1971 football season.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. J. R. 44. WHEREAS Thomas A. Jones, Jr. of Huntsville, a distinguished member of the Alabama House of Representatives from 1966 through 1970, died on December 3, 1971 at the age of 43 after fighting a courageous but losing battle to cancer; and

WHEREAS Mr. Jones was an outstanding leader of his community, having distinguished himself through his professional achievements in the field of architecture and through his civic and governmental leadership. He served two terms as president of the Downtown Development Association, was a past trustee of the Arts Council and a director of the Huntsville Industrial Expansion Committee. He served as a member of the Huntsville Beautification Board, chairman of the Madison County Cancer Crusade, a member of the Chamber of Commerce, Kiwanis International and Community Mental Health Center Committee. He was a merit badge counselor for the Boy Scouts; and

WHEREAS his service in the legislature included significant leadership in the field of conserving the natural resources of his state and region. He authored strong water pollution control legislation affecting his county and was in the vanguard of those seeking to strengthen air pollution control laws in his state. He was a pioneer in the field of expansion of recreational facilities to enhance tourism in Alabama, and

WHEREAS he was a native of Montgomery, a graduate of the Auburn School of Architecture, began his career in the field of architecture in Birmingham and Gadsden and headed the firm of Jones and Mann; and

WHEREAS he is survived by his wife, Mrs. Gail Brooks Jones, a daughter, Janice Irene Jones; two sons, Thomas A. Jones II and Monroe Tuttle Jones, all of Huntsville; his mother, Mrs. Thomas Jones of Montgomery, and a sister, Mrs. Effie Cotton of Maryville, Tennessee; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama has suffered a severe loss in the untimely death of one of its finest citizens. We extend our deep and hearfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Grainger, the rules were suspended and the resolution, H. J. R. 44, was adopted.

Co-Sponsors added

Unanimous consent was granted all members of the House for their names to be added as co-sponsors to the resolution, H. J. R. 44.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. King:

S. J. R. 21. MEMORIALIZING THE THIRTIETH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

WHEREAS, today, December 7, 1971, marks the thirtieth year since the shocking attack by the Japanese Empire on Pearl Harbor while emissaries of Japan were purportedly engaged in peace negotiations with the United States; and

WHEREAS, in the words of the President of the United States at the time, Honorable Franklin Delano Roosevelt, December 7, 1941 is a day that will live in infamy; and

WHEREAS, many of the gallant young men of the State of Alabama and these United States forfeited their lives at Pearl Harbor and thereafter during World War II in this world wide war of survival; and

WHEREAS, it is fitting and proper on this day that the Alabama State Legislature memorialize and pay tribute to those millions of young men who lost their lives in World War II, as well as to the countless families bereaved thereby; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each House of the Alabama State Legislature upon this occasion pause in silent prayer in memory of and tribute to all who gave up their lives for these United States in World War II.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Cauthen and Slate:

H. J. R. 45. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, AS FOLLOWS:

WHEREAS, the Decatur Red Raiders football team has just won the Alabama Class 4-A championship for the year 1971;

WHEREAS, it is the desire of the Legislature to congratulate and commend the football team, the coaching staff and the student body of Decatur High School in Morgan County, Alabama by these presents; now therefore,

BE IT FURTHER RESOLVED, That the Legislature of Alabama congratulates and commends the Decatur High School Red Raiders football team, Coach Earl Webb, and the other coaches, and the student body of Decatur High School for this outstanding achievement.

BE IT FURTHER RESOLVED, That a copy of this resolution be for-

warded to the Decatur High School football team and the Decatur High School, Decatur, Alabama.

On motion of Mr. Cauthen, the rules were suspended and the resolution, H. J. R. 45, was adopted.

BILLS ON THIRD READING

And the bill:

H. 98. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Criminal Cases in such Courts after the expiration of Ten years from the date of final Judgments, but no authority is given herein to destroy the Consolidated Docket and Fee Book Sheets, Final Record Books or the Indices in such Cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reynolds
Adams	Cross	Jackson	Roberts
Agee	Crowe	Jones (E)	St. John
Baker	Culver	Jones (F)	Slate
Bank	Dill	King	Smith (K)
Barkett	Doss	Lang	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Easters	McBride	Stewart
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McDonald	Straiton
Brassell	Erdreich	Manley	Stubbs
Burgess	Falkenburg	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Parker (T)	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham	Hill	Reed (T)	—91

And the bill:

H. 121. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax in Talladega County for the purpose of enabling such county and the municipalities therein to establish and maintain a system or systems for the collection and disposal of garbage, trash and other solid wastes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reynolds
Adams	Cross	Jackson	Roberts
Agee	Crowe	Jones (E)	St. John
Baker	Culver	Jones (F)	Slate
Bank	Dill	King	Smith (K)
Barkett	Doss	Lang	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Easters	McBride	Stewart
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McDonald	Straiton
Brassell	Erdreich	Manley	Stubbs
Burgess	Falkenburg	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Parker (T)	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham	Hill	Reed (T)	

—91

And the bill:

H. 130. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Connell	Grey (D)	Merrill
Adams	Coshatt	Hale	Naramore
Agee	Cottingham	Hardin	O'Daniel
Baker	Crawford	Harris	Owens
Bank	Cross	Headley	Parker (H)
Barkett	Crowe	Hill	Parker (T)
Bassett	Culver	Hobbie	Perloff
Benton	Dill	Jackson	Pruitt
Boles	Doss	Jones (E)	Reed (T)
Boutwell	Downing	Jones (F)	Reynolds
Brassell	Easters	King	Roberts
Burgess	Edwards	Lang	St. John
Callahan	Ellis	Lutz	Slate
Carnes	Erdreich	McBride	Smith (K)
Carter	Falkenburg	McCluskey	Smith (P)
Casey	Flippo	McDonald	Snell
Cauthen	Gloor	Manley	Stewart
Cherner	Goodwin	Mathews	Stokes
Chesnut	Grainger	May	Straiton
Collins	Gray (F)	Meeks	Stubbs

Taylor	Turner	Wallace	Wise	
Therrell	Waggoner	Weeks	Wynot	
Timmons	Waldrop	Williams		—91

And the bill:

H. 129. To apply only in counties having a population of not less than 150,000 nor more than 180,000; providing that all governmental agencies, state, federal and local or any combination thereof, must publish the names and the amount paid to all persons for professional services rendered to said agency located in said counties.

Was taken up.

Mr. Jones (F) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

In any county having a population of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census, any local governmental agency, county or city, funded by any State, local or Federal funds given to the local agency, must publish the names and amounts paid to all persons for professional services rendered to said agency located in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. In any county having a population of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census, any local governmental agency, county or city, funded by any State, local or Federal funds given to the local agency, must publish the names and amounts paid to all persons for professional services rendered to said agency located in said county.

The list of said persons shall be published at least twice within the fiscal year of such agency in a newspaper that is published within said county.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Chesnut
Adams	Benton	Carnes	Collins
Agee	Boles	Carter	Connell
Baker	Boutwell	Casey	Coshatt
Bank	Brassell	Cauthen	Cottingham
Barkett	Burgess	Cherner	Crawford

Cross	Hale	May	Snell
Crowe	Hardin	Meeks	Stewart
Culver	Harris	Merrill	Stokes
Dill	Headley	Naramore	Straiton
Doss	Hill	O'Daniel	Stubbs
Downing	Hobbie	Owens	Taylor
Easters	Jackson	Parker (H)	Therrell
Edwards	Jones (E)	Parker (T)	Timmons
Ellis	Jones (F)	Perloff	Turner
Erdreich	King	Pruitt	Waggoner
Falkenburg	Lang	Reed (T)	Waldrop
Flippo	Lutz	Reynolds	Wallace
Gloor	McBride	Roberts	Weeks
Goodwin	McCluskey	St. John	Williams
Grainger	McDonald	Slate	Wise
Gray (F)	Manley	Smith (K)	Wynot
Grey (D)	Mathews	Smith (P)	

—91

And the bill, H. 129, as thus amended:

In any county having a population of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census, any local governmental agency, county or city, funded by any State, local or Federal funds given to the local agency, must publish the names and amounts paid to all persons for professional services rendered to said agency located in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reynolds
Adams	Cross	Jackson	Roberts
Agee	Crowe	Jones (E)	St. John
Baker	Culver	Jones (F)	Slate
Bank	Dill	King	Smith (K)
Barkett	Doss	Lang	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Easters	McBride	Stewart
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McDonald	Straiton
Brassell	Erdreich	Manley	Stubbs
Burgess	Falkenburg	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Parker (T)	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham	Hill	Reed (T)	

—91

And the bill:

H. 120. To amend Section 2 of Act No. 821 of the 1971 Regular Ses-

sion of the Legislature of Alabama; to provide that the provisions of this amendatory Act shall be retroactive to September 7, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reynolds
Adams	Cross	Jackson	Roberts
Agee	Crowe	Jones (E)	St. John
Baker	Culver	Jones (F)	Slate
Bank	Dill	King	Smith (K)
Barkett	Doss	Lang	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Easters	McBride	Stewart
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McDonald	Straiton
Brassell	Erdreich	Manley	Stubbs
Burgess	Falkenburg	Mathews	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Parker (T)	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham	Hill	Reed (T)	—91

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 10. MOURNING THE DEATH OF FRED ALLEN

Also:

H. J. R. 11. MOURNING THE DEATH OF GORDON L. EVATT

Also:

H. J. R. 12. MOURNING THE DEATH OF HILLIARD ARONOV

Also:

H. J. R. 13. MOURNING THE DEATH OF JOHN BODDIE

Also:

H. J. R. 14. CONGRATULATING ALBERT McDONALD OF MADISON COUNTY UPON BEING NAMED AS THE NATION'S "COTTON FARMER OF THE YEAR."

Also:

H. J. R. 15. MOURNING THE DEATH OF B. HEFLIN HAYNES

Also:

H. J. R. 16. MOURNING THE DEATH OF WILLIAM D. WHETSTONE

Also:

H. J. R. 17. MOURNING THE DEATH OF JOHN L. OGLETREE, JR.

Also:

H. J. R. 18. HONORING MINTER CARNEY "JACK" HAYES, A GREAT AMERICAN, AND OUTSTANDING ALABAMIAN AND MAJOR LEAGUE BASEBALL PLAYER.

Also:

H. J. R. 22. COMMENDING LIVINGSTON STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE HONOR OR PLAYING FOR THE FOOTBALL CHAMPIONSHIP OF THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS.

Also:

H. J. R. 23. COMMENDING TOM SURLAS FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

Also:

H. J. R. 24. COMMENDING JOHN HANNAH FOR WINNING ALL-AMERICAN HONORS

Also:

H. J. R. 25. COMMENDING ROBBIN PARKHOUSE FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

Also:

H. J. R. 26. COMMENDING JIMMY GRAMMER FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

Also:

H. J. R. 27. COMMENDING JIM KRAPF FOR WINNING ALL-AMERICAN HONORS

Also:

H. J. R. 28. COMMENDING DAVID BAILEY FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

Also:

H. J. R. 29. COMMENDING JOHNNY MUSSO FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

Also:

H. J. R. 30. COMMENDING JOHNNY MUSSO FOR WINNING ALL-AMERICAN HONORS

Also:

H. J. R. 31. COMMENDING STEVE HIGGENBOTHAM FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

Also:

H. J. R. 32. COMMENDING JIM KRAPF FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

Also:

H. J. R. 33. COMMENDING TOM SURLAS FOR WINNING ALL-AMERICAN HONORS

Also:

H. J. R. 34. DEMANDING AN APOLOGY OR EQUAL TIME FROM ABC TELEVISION FOR SLIGHTING THE SOUTHERN SPORTSWRITERS AND SPORTSCASTERS FOR THEIR SUPPORT OF PAT SULLIVAN IN THE HEISMAN TROPHY VOTING.

Also:

H. J. R. 36. CONGRATULATING PEGGY WALLACE AND ROBBERT CRUMPTION

McDOWELL LEE,
Secretary.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill, H. 59, with pending substitute:

To provide for an inventory and appraisal of the property in Alabama as a basis for equalizing property assessments, authorizing the employment of persons and firms for such purpose, requiring the use of property values found by the department of revenue to be used in assessing property for taxation and providing for a review of such findings by the department of revenue and the county boards of equalization providing for appeals from the decisions of the county boards of equalization and authorizing the use of funds in an equalization program and to appropriate funds to the department of revenue required to comply with its provisions.

Was again taken up.

SUBSTITUTE WITHDRAWN

At the request of Mr. Stubbs, unanimous consent was granted to have the substitute to the bill, H. 59, offered by him on the Third Legislative Day, withdrawn.

Mr. Owens offered the following substitute to the bill, H. 59:

SYNOPSIS

This bill provides for the valuation and assessment of real and personal property for ad valorem taxation. It provides for the inventory and reapprais-

al of all taxable property in each county in the state of Alabama; it provides for a homestead exemption; it gives the power and authority to the tax assessors and boards of equalization of each county in this state to equalize value and assess in accordance with law all property in their respective counties; it provides for the funding of a program of equalizing property taxes and authorizes the governing boards of counties in this state to make temporary loans in anticipation of the collection of taxes. It amends Section 131, Title 51, Code of Alabama, 1940, relating to the powers and duties of the Department of Revenue and repeals Sections 132, 133, 134, and 135, Title 51, Code of Alabama, 1940, all which relate to the valuation and assessment of property subject to taxation.

A BILL
TO BE ENTITLED
AN ACT

To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in each county in the state of Alabama; to provide for a homestead exemption; to make it the duty of and to give the power and authority to the tax assessors and boards of equalization of each county in this state to equalize, value and assess in accordance with law all property in their respective counties; for the purpose of funding a program of equalizing property taxes, to authorize the governing bodies of counties in this state to make temporary loans in anticipation of the collection of taxes; to amend Section 131, Title 51, Code of Alabama, 1940, relating to the powers and duties of the Department of Revenue; and to repeal Sections 132, 133, 134, and 135, Title 51, Code of Alabama, 1940, all relating to the valuation and assessment of property subject to taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. All taxable property within this state shall be assessed for the purpose of taxation as herein provided; and the amount of tax required to be paid per annum hereunder shall not exceed one and two-tenths of one percent of value on residential property.

Section 2(a). The term "fair and reasonable market value" shall be construed to be what a willing buyer would pay to a willing seller on the open market with both parties knowing as much as possible about the subject property to be bought or sold.

(b). The "fair and reasonable market value" of property subject to ad valorem tax shall not necessarily be determined by sales price alone, but due weight and consideration shall be given to the present use of the property; to the annual net return from the use or rental of such property; to any and all factors which tend to either depreciate or appreciate the value of such property; the replacement cost of any improvements thereon together with the actual (not book) depreciation of any such improvements as well as the value of any comparable real or personal property on the assessment rolls of the several tax assessors in the State and County insofar as the above listed factors shall apply. Provided that no taxable property shall be considered valueless simply because it is not used or shows no net return from its use or rental and provided further that neither the property owner, the Department of Revenue nor the tax assessors or (County Boards of Review) of the several

counties shall be allowed to or allow the use of different values for different purposes with any department or agency of the State or County.

Section 3. Exemptions. In addition to the exemptions from ad valorem taxation now provided by law, household and kitchen furniture and fixtures and personal effects for personal use in the house or usually kept at the home of the owner and not carried as stocks of merchandise shall be exempt from all ad valorem taxation.

Section 4(a). Homesteads are hereby exempted from all state ad valorem taxation. In no case shall the exemption herein apply to more than one person, head of the family, nor shall said exemption exceed five thousand dollars ($5,000) in assessed value nor one hundred sixty acres in area. The homestead exemption provided for herein shall not be allowed until the property owner shows to the satisfaction of the department of revenue that the homestead is properly valued in accordance with the provisions of this Act but he shall be entitled to the exemption provided for in Section 15, Title 51, Code of Alabama, 1940, until such showing.

4(b). Any person who makes a false or fradulent claim concerning the homestead exemption or who swears falsely concerning the farmstead or homestead exemption provided for herein shall be guilty of a misdemeanor and must, on conviction, be fined not more than five hundred dollars ($500.00), and may be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months.

Section 5. The county tax assessors and boards of equalization are directed to reevaluate all the property in their respective counties within a four-year period as follows:

First year: All property having an assessed value of $50,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Second year: All property having an assessed value of $25,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Third year: All property having an assessed value of $10,000 or over at the present time as shown by the records of the tax assessors of the several counties.

Fourth year: All property having an assessed value of less than $10,000 at the present time as shown by the records of the tax assessors of the several counties.

Section 6. It shall be the duty of each tax assessor and board of equalization in each county in this state and they shall have the power and authority in addition to the authority now vested in them by law to equalize, value and assess or cause to be equalized, valued and assessed in accordance with law all property within their respective counties subject to taxation, except the property of public utilities assessed by the department of revenue under the provisions of Title 51, Chapter 11, Code of Alabama, 1940, and such valuations and assessments shall be entered or caused to be entered in the proper assessment book or record or minutes of the proper official, board or tribunal.

Section 7. For the purpose of funding a program of equalizing property taxes in each county in this state, the governing bodies of the counties of

this state are hereby authorized, for and in behalf of their respective counties, to make temporary loans in anticipation of the collection of taxes for the year in which such loans are made, and to issue certificates covering such loans and to pledge a sufficient amount of uncollected taxes of the current year to secure the repayment of such loan or loans. All certificates evidencing loans made under the authority of this Act shall be registered by the county treasurer in the order of their issue. The said treasurer shall retain out of the taxes collected for the year and paid over to him a sufficient amount to pay said certificates. Said certificates shall be paid in the order of their registration and they shall be entitled to priority of payment out of the proceeds of the taxes pledged to pay the same. All certificates issued under the authority of this Act and the income therefrom shall be exempt from all taxation.

Section 8. Section 131, Title 51, Code of Alabama, 1940, is amended to read as follows:

Section 131. POWERS AND DUTIES OF DEPARTMENT. It shall be the duty of the department of revenue, and it shall have the power and authority, in addition to the authority now vested in it by law: (a) To have and exercise general and complete supervision and control of the collection of all taxes which it is required by law to collect and of the enforcement of the tax laws which it is required by law to enforce. (b) To confer with, advise and direct the several county tax assessors, county tax collectors, probate judges, boards or commissions, and each and every state and county official charged with the assessment and collection of taxes, as to their duties under the laws of this state. (c) To direct suits to be instituted by the attorney general, circuit or deputy solicitors, or attorneys especially employed for such purposes, with the approval of the attorney general for the collection of any taxes or penalties due the state or any county. (d) To require any public official in the state to report information as may be needful in the work of the department of revenue in such forms and upon such blanks as the department of revenue may prescribe and furnish. (c) To require individuals, partnerships, associations, corporations, trustees and receivers, and the agents, officers and employees thereof, to furnish information concerning their capital, funded or otherwise, gross receipts, net profits or income, excess profits, current assets and liabilities, values of franchises, intangibles, value of property, earnings, operating and other expenses, bonds, deeds, conduct of business, and all other facts, records, books, papers, documents and other information of any kind demanded which may be needful to ascertain the proper amount of license, privilege, excise, corporation, franchise, income or ad valorem taxes administered by the department of revenue. (f) To summon witnesses to appear and give testimony, and to procure records, books, papers, documents, and all other information of any kind or character required relating to any matter which the department shall have authority to investigate and determine. The witnesses may be summoned by subpoena issued by the commissioner, or by the secretary thereof, in the name of the department, directed to any sheriff of Alabama, and returnable to the department, which subpoena may be served in like manner as subpoenas issued out of any circuit court; or the subpoenas may be served by registered mail, addressed to the witness with return receipt demanded. In either case the subpoenas must be served at least five days previous to the time named therein for the appearance of the witness. Subpoenas duces tecum to any witness to appear and produce any records, books, papers or other documents, may be issued and served in like manner; provided that no officer of any bank or banking institution shall be required to disclose to the department or any of its agents or clerks the depos-

its of its customers except upon order of court. When any witness has been summoned and refuses or fails to appear or upon appearing refuses to testify, or having been summoned to produce records, books, papers, documents, or other like information, fails or refuses to do so, either or all, shall be guilty of contempt and upon the certificate of such fact to a circuit judge he shall sentence the offender for contempt and shall punish such offender as is now provided for by law in cases of contempt in circuit courts. The department of revenue in cases of refusal to produce such books, documents, records and papers or information of such character as it may deem necessary may apply for mandamus to a judge of the circuit court of the county in which such person has this principal place of business and thereupon it shall be the duty of such circuit judge to require the production of such books, records, papers, documents and such other information as may be required, within ten days from the application of such writ of mandamus. (g) To cause the deposition of witnesses residing within or without the state to be taken upon such notice to the interested party, if any, as the department may prescribe, in like manner as depositions of witnesses are taken in actions pending in circuit court, in any matter which the department has authority to investigate and determine. The depositions shall be taken upon a commission issued by the department of revenue, or the secretary thereof, in the name of the department, and returnable to the department. (h) To investigate the tax system of other states; to thoroughly inform itself upon the subject of taxation and of the progress made in other states and counties in improving their tax system, to formulate and recommend such legislation as may be deemed expedient to prevent evasion of existing tax laws and to secure just and equal taxation and improvements in the system of taxation in this state. (i) To consult and confer with the governor upon the subject of taxation and the administration of the laws, and progress of the work of the department, and to furnish to the governor from time to time such information as he may require. (j) For good reason shown and entered on the minutes of the department, to extend the time for filing any report or written statement required to be filed with the department of revenue. (k) To inspect and examine at all reasonable business hours any books, documents, records or papers kept by any person, firm, operation, trustee or receiver. (l) To make all assessments of taxes or penalties which it is authorized to enforce or collect. (m) To issue executions and writs of garnishment directed to any sheriff of Alabama, or any final assessment or judgment made or rendered by it, and upon such executions the sheriff shall proceed as in cases issued out of the circuit court and shall make return thereof to the department of revenue within sixty days after the receipt thereof. (n) To perform such other duties as are or may be imposed on it by law.

Section 9. Sections 132, 133, 134 and 135 of Title 51, Code of Alabama 1940 are hereby repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

SUBSTITUTE TO SUBSTITUTE

Mr. Hale offered the following substitute to the substitute offered by Mr. Owens for the bill, H. 59:

SYNOPSIS: This bill provides that the Department of Revenue can retain consultants to advise them on procedural changes, as to property reappraisal, needed in each county in the state; can advise the counties of these needed changes; and can require of the counties that they make the changes

in order that they may carry out complete reappraisal. It further provides that the Department of Revenue can employ the personnel required to implement these changes if the counties do not comply. The cost of reappraisal shall be prorated. The County Governing Boards are authorized to issue revenue bonds as required to implement the program of reappraisal.

A BILL
TO BE ENTITLED
AN ACT

A bill to provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the duties already imposed upon the Department of Revenue of the State of Alabama, it shall be empowered, with the authorization of the Governor, to employ any appraisal firm headed by and under the direction of a duly accredited member or members of the American Institute of Appraisers as consultants to inspect the various systems of assessing in each county and to advise the Department of Revenue of any changes in procedure needed in each of the several counties of the State so as to expedite the state-wide reappraisal as required by law and the existing decree of the United States Supreme Court. Provided that the fee or charge for such inspection, advice and consultation shall not exceed $100,000 for all of the several counties.

Section 2. The Department of Revenue shall consult and advise the County Governing Bodies, Tax Assessors, and Boards of Equalization as to its findings in each county and shall direct them to conformity in the most expeditious manner.

Section 3. Upon failure of any Tax Assessor to comply with the directions of the Department of Revenue or the Board of Equalization to conduct reappraisal, the Department shall determine whether or not such failure is deliberate or due to some inability or lack of ability on the part of the official or officials concerned.

1. If it is found to be deliberate, then the Department of Revenue shall ask the State Attorney General to take whatever action is necessary to secure compliance with its directives in regards to reappraisal.

2. Should the Department of Revenue find that the reason for noncompliance with its directives and advice are due to inability or lack of ability to comply, then it shall so advise the County Governing Body of the county concerned as to its findings.

3. Upon receiving such advice of inability or lack of ability on the part of the Tax Assessor and/or the Board of Equalization to reappraise properties within the county in conformity with the overall program of the state-wide equalization, the County Governing Body shall proceed to hire the necessary qualified appraisers and/or let any contract necessary to assist the Tax Assessor and/or Board of Equalization in his or their reappraisal of properties in accordance with the directives of the Department of Revenue and the laws of the state.

4. Should the County Governing Body fail or refuse to comply with the above requirements, the Department of Revenue is hereby authorized to employ the above-stated qualified personnel and/or let any contract necessary to accomplish the requirements of its directives and legal requirements as to property reappraisal. The costs involved shall be charged to the county and withheld from any monies which are due the county concerned or which may become due until necessary expenses incurred by the Department of Revenue shall have been repaid.

Section 4. However the requirements of state-wide reappraisal are accomplished, whether by the Tax Assessor and Board of Equalization, by action of the County Governing Body, or the Department of Revenue, each and every County Governing Body is hereby authorized to prorate the costs on a millage basis and collect it from each and every agency receiving monies from ad valorem tax including the State of Alabama.

Section 5. The County Governing Bodies of the several counties are hereby authorized to issue any revenue bonds or warrants as it sees fit, in accordance with existing statutes and laws of the State of Alabama, that may be necessary to accomplish the above-stated purpose.

Section 6. All laws or parts of laws in conflict herewith are hereby repealed.

Section 7. This law shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

SUBSTITUTE TABLED

On motion of Mr. Owens, the substitute offered by Mr. Hale was tabled.

Yeas 64; Nays 21.

Yeas:

Mr. Speaker	Cottingham	Headley	Roberts
Adams	Crawford	Hobbie	Robertson
Adwell	Cross	Jackson	St. John
Agee	Crowe	Jones (E)	Smith (K)
Bank	Culver	Kinsey	Smith (P)
Barkett	Doss	McBride	Snell
Bassett	Downing	McCluskey	Stokes
Benton	Drake	McCorquodale	Stubbs
Burgess	Easters	Mathews	Timmons
Callahan	Edwards	May	Turner
Carter	Ellis	Merrill	Turnham
Casey	Erdreich	O'Daniel	Waggoner
Cherner	Falkenburg	Owens	Warren
Chesnut	Gloor	Parker (H)	Weeks
Connell	Grey (D)	Pruitt	Williams
Coshatt	Hardin	Reid (R)	Wise

—64

Nays:

Messrs.:	Grainger	McDonald	Straiton
Boles	Hale	Meeks	Taylor
Carnes	Hearn	Naramore	Therrell
Cauthen	Hill	Perloff	Waldrop
Dill	Jones (F)	Slate	Wynot
Flippo	King		

—21

SUBSTITUTE TO SUBSTITUTE

Mr. Stokes offered the following substitute to the substitute offered by Mr. Owens to the bill, H. 59:

SYNOPSIS: This bill creates the Alabama Property Equalization Authority composed of the Commissioners of Revenue, State Auditor and State Treasurer and authorizes the Authority to issue $20,000,000.00 in revenue bonds to carry out its duties.

A BILL
TO BE ENTITLED
AN ACT

To authorize the Commissioner of Revenue, the State Auditor, and the State Treasurer to become a public corporation to be known as the Alabama Property Equalization Authority for the purpose of providing equalization of property taxes throughout the State of Alabama; to prescribe the powers of the Authority, including the power to sell and issue revenue bonds not exceeding 20 million dollars in principal amount for such purpose and to authorize the issuance of refunding bonds; to provide for the use of the proceeds of the bonds; to provide that all bonds issued by the Authority and income therefrom shall be exempt from all taxation in this state; to provide that such bonds shall constitute negotiable instruments, that they may be used as security for deposits and for the investment of public funds and fiduciary funds; to create a trust fund for the benefit of the bonds and to pledge certain funds to the repayment of the bonds and the interest thereon; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of this State; to authorize the filing of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting the same; to provide that all revaluation and reassessment of taxable property shall be done under the direction, supervision and control of the Department of Revenue, and to prescribe the authority and duties of said department with respect thereto; to provide for the appropriation of certain state funds; to provide for the time, manner and basis on which such payments shall be made; and to provide for the dissolution of said Authority upon the completion of its purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Intent.—It is the intent of the legislature by the passage of this act to authorize the incorporation of the Commissioner of Revenue, the State Auditor and the State Treasurer as a public corporation for the purpose of providing equalization of property taxes throughout the State of Alabama and in every county and city therein, and to vest such corporation with all powers, authority, rights and privileges as may be necessary to enable it to accomplish such purpose. This act shall be liberally construed in conformity with the purpose expressed.

Section 2. Definitions—The following terms, wherever used in this act, shall have the following respective meanings unless the context clearly indicates otherwise:

"The Authority" means the public corporation organized pursuant to the provisions of this act.

"Bonds" means the bonds issued under the provisions of this act.

"State" means the State of Alabama.

"Department" means the Department of Revenue.

Pronouns when used in this act shall include all applicable genders.

Section 3. Power to Incorporate.—The State Commissioner of Revenue, the State Auditor, and the State Treasurer may become a public corporation with the power and authority hereinafter provided, by proceeding according to the provisions of this act.

Section 4. Provisions for Incorporation.—To become a corporation, the State Commissioner of Revenue, the State Auditor, and the State Treasurer shall present to the Secretary of State of Alabama an application signed by them which shall set forth: (1) the name, official designation, and the official residence of each of the applicants, together with a certified copy of the document evidencing each applicant's right to office; (2) the date on which each applicant was inducted into office and the term of office of each of the applicants; (3) the name of the proposed corporation, which shall be the Alabama Property Equalization Authority; (4) the location of the principal office of the proposed corporation; and (5) any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this state to take acknowledgments to deeds. The Secretary of State shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. Consumation of Incorporation.—When the application has been made, filed, and recorded as provided in the preceding section, the Secretary of State shall make and issue to the applicants a certificate of incorporation pursuant to this act, under the Great Seal of the State, and shall record the certificate with the application, whereupon the applicants shall constitute a public corporation and agency of the state under the name proposed in the application. There shall be no fees paid to the Secretary of State for any work done in connection with the incorporation or dissolution of the Authority.

Section 6. Members, Directors and Officers of the Authority.—The applicants named in the application and their respective successors in office shall constitute the members of the Authority. The State Commissioner of Revenue shall be the president of the Authority, the State Auditor shall be secretary of the Authority and the State Treasurer shall be the treasurer of the Authority. The members of the Authority shall constitute all the members of the board of directors of the Authority, which shall be the governing body of the Authority. A majority of the members of the said board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section cease to hold such office by reason of death, resignation, expiration of his term of office, or for any other reason, then his successor in office shall take his place as a member, officer, or director, as the case may be, of the Authority. No member, officer, or director of the Authority shall draw any salary in addition to that now authorized by law for any service he may render or for any duty he may perform in connection with the Authority. All resolutions adopted by the board of directors shall constitute actions of the Authority, and all proceedings of

the board of directors shall be reduced to writing by the secretary of the Authority, shall be signed by the members of the Authority, and shall be recorded in a substantially bound book and filed in the office of the Secretary of State. Copies of such proceedings, when certified by the secretary of the Authority, under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 7. Powers of the Authority.—The Authority shall have the following powers among others specified in this Act: (1) to have succession by its corporate name until the principal of and interest on all bonds issued by it shall have been fully paid; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties thereto; (3) to have and use a corporate seal and to alter the same at pleasure; (4) to provide for a state-wide system of equalizing property taxes within the State; (5) to provide for a uniform method, subject to the approval of the department of revenue, for the reappraisal and revaluation of all taxable property in each county of the State and in each municipality therein; (6) to contract with, or employ any person, firm, corporation or association to provide professional or skilled services necessary for the establishment of equalized property taxes throughout the State, and to provide necessary office space, equipment and supplies therefor, including new and uniform record forms for all county agencies concerned with ad valorem taxes, including but not limited to Probate Court records, Tax Assessor's and Tax Collector's records, Board of Equalization, License Commissioner's, etc.; (7) to anticipate by the issuance of its bonds as hereinafter limited, the receipt of the revenues accruing from ad valorem taxes; (8) as security for the payment of the principal of and interest on its bonds, to enter into any lawful covenant and to pledge the revenues accruing from the appropriation made in Section 19 of this Act, or so much thereof as may be necessary; (9) to require the several counties of the State to repay to the Authority the cost of the revaluation and reassessment of property as provided in Section 18 of this Act and to pledge the proceeds thereof to the retirement of the principal and interest on its bonds; (10) to invest as hereinafter provided the proceeds from the sale of its bonds pending need therefore; (11) to appoint and employ such attorneys, agents and additional employees as the business of the Authority may require, subject to the merit system where applicable, and where the services of state employees are required in addition to their regular duties, to pay additional compensation for their services rendered to the Authority.

Section 8. Authorization of Bonds.—The Authority is hereby authorized from time to time to sell and issue its bonds, not exceeding twenty million dollars ($20,000,000) in aggregate principal amount, for the purpose of providing funds for the equalization of property taxes throughout the State of Alabama, and for payment of obligations incurred for said purposes.

Section 9. Refunding Bonds.—The Authority may from time to time sell and issue its refunding bonds for the purpose of refunding any matured or unmatured bonds of the Authority at the time outstanding and any premiums necessary to be paid to redeem any bonds so to be refunded. Such refunding bonds shall be subrogated and entitled to all priorities, rights and pledges to which the bonds refunded thereby were entitled.

Section 10. Execution of the Bonds.—The bonds of the Authority shall be signed by either its president or its treasurer as shall be provided in the resolution under which the bonds shall be issued, and the seal of the Au-

thority shall be affixed to the bonds and attested by its secretary; provided, that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced on any of the bonds in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the Authority may be imprinted or otherwise reproduced on any of the bonds in lieu of being manually affixed thereto. Any interest coupons applicable to the bonds shall be signed with a facsimile of the signature of either the president or the treasurer as shall be provided in the resolution under which the bonds shall be issued. If, after any of the bonds or interest coupons thereunto appertaining shall be so signed, whether manually or by facsimile, any such officer shall for any reason vacate his said office, the bonds and interest coupons so signed may nevertheless be delivered any time thereafter as the act and deed of the Authority. Any bonds of the Authority may be executed and delivered by it at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest, payable and evidenced in such manner, may contain provisions for redemption prior to maturity, and may contain other provisions not inconsistent herewith, all as may be provided by the resolution of the board of directors whereunder such bonds are authorized to be issued; provided, that no bond of the Authority shall have a specified maturity date later than twelve years after its date. Each bond of the Authority having a specified maturity date more than five years after its date shall be made subject to redemption at the option of the Authority at the end of the fifth year after its date, and on any interest payment date thereafter, under such terms and conditions as may be provided in the resolution under which such bond is authorized to be issued. Bonds of the Authority may be sold from time to time as the board of directors may deem advantageous, but must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the Authority for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the Authority is received, it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days before the date of the sale. The Board of Directors may fix the terms and conditions under which such sale may be held; provided, that none of the bonds may be sold for a price less than face value thereof plus accrued interest thereon to the date of delivery thereof; and provided, further, that such terms and conditions shall not conflict with any of the requirements of this Act. The Authority may pay out of the proceeds of the sale of its bonds all expenses, including publication and printing charges, attorneys fees, and other expenses which said board of directors may deem necessary and advantageous in connection with the authorization, advertisement, sale, execution and issuance of such bonds. Bonds issued by the Authority shall not be general obligations of the Authority but shall be payable solely out of the funds referred to in Sections 18 and 19 hereof. In the event the Authority shall make more than one pledge of the same revenues, such pledges shall take precedence in the order of the adoption of the resolutions in which the pledges are made; provided, that each pledge for the benefit of refunding bonds shall have the same priority as the pledge for the benefit of the bonds refunded thereby. Neither a public hearing nor consent of the State Department of Finance or of any other department or agency of the state shall be a prerequisite to the issuance of bonds by the Authority.

Section 11. Investment of Proceeds from Sale of Bonds.—Any portion of the principal proceeds derived from the sale of the bonds which the board of directors of the Authority may determine is not then needed for any of the purposes for which the bonds are authorized to be issued shall, on order of the Authority, be invested by the State Treasurer in any securities that are direct general obligations of the United States of America or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States of America. Any such securities may, at any time and from time to time on order of the Authority, be sold or otherwise converted by the State Treasurer into cash. The income derived from any such investments shall be disbursed on order of the Authority for any purpose for which it may lawfully expend funds.

Section 12. Exemption from Taxation.—All bonds issued by the Authority and the coupons applicable thereto and the income therefrom and all lien notices filed with respect thereto shall be forever exempt from any and all taxation in the State of Alabama.

Section 13. Bonds and Coupons Constitute Negotiable Instruments.—All bonds issued by the Authority, while not registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any bonds issued by the Authority, while the applicable bonds are not registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 14. Obligations Not a Debt of the State.—All obligations incurred by the Authority and all bonds issued by it shall be solely and exclusively an obligation of the Authority and shall not create an obligation or debt of the State of Alabama.

Section 15. Bonds of the Authority Lawful Security for State Deposits and Lawful Investment for Fiduciary Funds.—Any bonds issued by the Authority may be used by the holders thereof as security for deposits of any funds belonging to the state or to any instrumentality, agency or political subdivision of the state in any instance where security for such deposits may be required or permitted by law. Any surplus in any state fund and any retirement or trust fund, where the investment thereof is permitted or required by law, may be invested in bonds issued by the Authority. Unless otherwise directed by the court having jurisdiction thereof, or the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in the bonds of the Authority.

Section 16. Use of Proceeds from Sale of Bonds.—All proceeds derived from the sale of any bonds (except refunding bonds) sold by the Authority remaining after payment of the expenses of issuance thereof shall be turned over to the State Treasurer, shall be carried by him in a special account to the credit of the Authority, and shall be subject to be drawn on by the Authority solely for the purposes of equalizing property taxes throughout the State of Alabama and for the payment of all reasonable and necessary expenses incidental thereto, including interest which shall accrue on said bonds. Any balance of said proceeds thereafter remaining shall, upon completion of the establishment of a state wide property tax equalization program for which the bonds were issued including the payment of all costs in connection

therewith and all proceeds from the sale of refunding bonds issued by the Authority remaining after paying the expenses of their issuance shall be used only for the purpose of refunding the principal of bonds of the Authority theretofore issued under this Act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded.

Section 17. Authority and Duty of the Revenue Department.—The State Department of Revenue shall establish a method for the valuation and assessment of property which shall be applied equally and uniformly throughout the State of Alabama and in each county and city therein. In establishing such method, the department shall use any factors which it deems to be necessary, fair and reasonable to arrive at a just and uniform valuation and assessment, provided that full professional market value definitions and standards are adhered to with no deviations therefrom, and there being specifically prohibited any so-called "current use" standards in appraising any property for true market value. The department shall be authorized to employ such professional or skilled technical assistants, without regard to the merit system law or the competitive bid law, as may be necessary to implement the purposes of this Act, and to prescribe the qualifications of such personnel, which qualifications shall insure that no person shall appraise property who is not professionally qualified by training and experience to appraise the class of property to which he is assigned. The revaluation and reassessment of all taxable property and all work done incidental thereto shall be done under the direction, supervision and control of the department. The department shall further be authorized to establish a schedule for the order in which property valuations and assessments are made county by county, and to deviate from such schedule when necessary or desirable, upon approval of the commission. Effective October 1, 1973, or upon completion of the re-appraisal program of the property of the state, whichever first takes place, all Board of Equalization members or prospective Board of Equalization members shall be placed under the state merit system and required to supply the same qualifications as to training and experience as prescribed above for the appraisers for the initial re-appraisal program, to be appointed from eligible list jointly maintained by the State Personnel Board and the State Revenue Department, for the specific purpose of maintaining a program of continuous equalization, following the rigid requirement that all property shall be re-appraised for true market value at least once every three years. And, provided further that all candidates for tax assessors and all applicants for merit system positions as tax assessors in the various tax assessor offices shall be required to be similarly professionally qualified by training as well as experience, in order that they may more efficiently follow the instructions of the State Revenue Department in the initial appraisal of all property in the various counties of the State, and providing further that all laws or parts of laws in conflict with this Section be and are hereby repealed. Provided that the provisions of this Section shall not apply to incumbent members of county boards of equalization or incumbent tax assessors.

Section 18. Repayment by Counties.—At the end of the fiscal year which begins next following the year in which the revaluation and reassessment of all property has been completed in any county, the county and the municipalities therein shall begin to repay to the Alabama Property Equalization Commission the cost of such revaluation and reassessment at a rate not less than one twelfth of the total cost for twelve consecutive years or until the total cost has been paid in full. Payment of such cost shall be based on the proportionate amount of the tax levied by the county and in each municipali-

ty in the county. All revenues received as repayment shall be pledged to the retirement of the principal and interest on the bonds issued by the Authority.

Section 19. Appropriation.—For the purpose of providing additional security for the payment of the principal and interest on the bonds of the Authority, there is hereby irrevocably pledged the revenues accruing from twenty-five one hundredths of one percent of the tax levied by Section 18, Title 51, Code of Alabama 1940, or so much thereof as may be necessary, for each fiscal year until the full amount of the principal and interest on such bonds shall have been paid in full.

Section 20. Creation of Fund for the Benefit of the Bonds.—For the purpose of providing funds for the payment of the principal and interest on the bonds issued by the Authority under the provisions of this Act, there is hereby created and irrevocably pledged to the payment of such obligations a special and continuing trust fund which shall consist of all proceeds received from the counties as provided in Section 18 of this Act and all revenues accruing from twenty-five one hundredths of one percent of the tax levied by Section 18, Title 51, Code of Alabama 1940, as provided in the appropriation provided in Section 19, or so much thereof as may be necessary until the full amount of the principal and interest on said bonds shall have been paid. The State Treasurer is hereby authorized and directed to pay the principal of and interest on the bonds as such principal and interest shall respectively mature, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 21. Presumption of Validity of Bonds and Publication of Notice Thereof.—Any resolution authorizing any bonds hereunder shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive evidence that said bonds have been duly authorized pursuant to the provisions of this Act, notwithstanding the provisions of any other law now in force or hereafter enacted or amended. Upon the passage of any resolution providing for the issuance of bonds under the provisions of this Act, the Authority may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery a notice in substantially the following form (the blanks being first properly filled in);

"Alabama Property Equalization Authority, an Agency of the State of Alabama, on the ..... day of ....., 19....., adopted a resolution providing for the issuance of ..... Dollars principal amount of bonds of said Authority. Any action or proceeding questioning the validity of said resolution or said bonds or the pledge and agreements made in said resolution for the benefit thereof, or the proceedings under which said bonds, pledge and agreements were authorized, must be commenced within twenty days after the first publication of this notice.

Alabama Property Equalization Authority

By .....
Its President

Any action or proceeding in any court seeking to set aside or invalidate a resolution providing for the issuance of bonds under the provisions of this Act or to contest the validity of any such bonds, or the validity of any pledge or agreement made therefor, must be commenced within twenty (20) days after the first publication of said notice. After the expiration of twenty (20) days following such first publication, no right of action or defense founded

upon the validity of the resolution or other proceedings, if any, or of the bonds, or of the pledge of agreements, shall be asserted. In the event of such publication the validity of such resolution, proceedings, bonds, pledge or agreements shall not be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County.

Section 22. Dissolution of the Authority.—When all securities issued by the Authority and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then officers and directors of the Authority shall at such time file with the Secretary of State a written statement, subscribed and sworn to by each of them, reciting the payment in full of all bonds theretofore issued by the Authority and the execution and delivery of such deed or deeds to the state, which statement shall be filed by the Secretary of State and recorded with the certificate of incorporation of the Authority, whereupon the Authority shall stand dissolved.

Section 23. Severability Clause.—The provisions of this Act are severable. In the event any section or part thereof is declared invalid, such declaration shall not affect the validity of the part and sections which remain.

Section 24. Effective Date of Act.—This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Owens, the substitute offered by Mr. Stokes was tabled.

Yeas 60; Nays 34.

Yeas:

Mr. Speaker	Crawford	Hearn	Robertson
Agee	Cross	Hobbie	St. John
Baker	Crowe	Jackson	Slate
Barkett	Culver	Kinsey	Smith (K)
Bassett	Downing	McCorquodale	Smith (P)
Benton	Drake	Manley	Stewart
Brassell	Easters	Mathews	Stubbs
Burgess	Edwards	May	Timmons
Callahan	Ellis	Merrill	Turner
Casey	Falkenburg	O'Daniel	Turnham
Chesnut	Gloor	Owens	Waggoner
Collins	Goodwin	Pruitt	Warren
Connell	Grey (D)	Reed (T)	Weeks
Coshatt	Hardin	Reid (R)	Williams
Cottingham	Headley	Reynolds	Wise

—60

Nays:

Messrs.:	Carnes	Erdreich	Hale
Adams	Carter	Flippo	Harris
Boles	Cherner	Gafford	Hill
Boutwell	Doss	Grainger	Jones (E)

Jones (F)	McDonald	Perloff	Taylor	
King	Meeks	Roberts	Therrell	
Lutz	Naramore	Snell	Waldrop	
McBride	Parker (H)	Stokes	Wallace	
McCluskey	Parker (T)	Straiton		—34

MOTION TO TABLE LOST

The motion of Mr. Cauthen to table the substitute offered by Mr. Owens to the bill, H. 59, was lost.

Yeas 50; Nays 51.

Yeas:

Messrs.:	Ellis	Jones (F)	Smith (K)	
Adams	Erdreich	King	Stewart	
Adwell	Falkenburg	Lutz	Stokes	
Boles	Flippo	McBride	Straiton	
Boutwell	Gafford	McDonald	Stubbs	
Carnes	Gloor	Meeks	Taylor	
Cauthen	Grainger	Naramore	Therrell	
Cherner	Gray (F)	Parker (H)	Waggoner	
Cottingham	Hale	Parker (T)	Waldrop	
Crowe	Harris	Perloff	Wallace	
Dill	Hearn	Roberts	Weeks	
Doss	Hill	Robertson	Wynot	
Downing	Jones (E)	St. John		—50

Nays:

Mr. Speaker	Collins	Hobbie	Reed (T)	
Agee	Connell	Jackson	Reid (R)	
Baker	Coshatt	Kinsey	Reynolds	
Bank	Crawford	Lang	Slate	
Barkett	Cross	McCluskey	Smith (P)	
Bassett	Culver	McCorquodale	Snell	
Benton	Drake	Manley	Timmons	
Brassell	Easters	Mathews	Turner	
Burgess	Edwards	May	Turnham	
Callahan	Goodwin	Merrill	Warren	
Carter	Grey (D)	O'Daniel	Williams	
Casey	Hardin	Owens	Wise	
Chesnut	Headley	Pruitt		—51

SUBSTITUTE LOST

The question, then, was on the adoption of the substitute offered by Mr. Owens to the bill, H. 59, and the substitute was lost.

Yeas 50; Nays 50.

Yeas:

Mr. Speaker	Brassell	Connell	Edwards
Agee	Burgess	Coshatt	Goodwin
Baker	Callahan	Crawford	Grey (D)
Bank	Carter	Cross	Hardin
Barkett	Casey	Culver	Headley
Bassett	Chesnut	Drake	Hobbie
Benton	Collins	Easters	Jackson

Kinsey	May	Reid (R)	Turner	
Lang	Merrill	Reynolds	Turnham	
McCluskey	O'Daniel	Slate	Warren	
McCorquodale	Owens	Smith (P)	Williams	
Manley	Pruitt	Snell	Wise	
Mathews	Reed (T)			—50

Nays:

Messrs.:	Ellis	Jones (F)	Smith (K)	
Adams	Erdreich	King	Stewart	
Adwell	Falkenburg	Lutz	Stokes	
Boles	Flippo	McBride	Straiton	
Boutwell	Gafford	McDonald	Stubbs	
Carnes	Gloor	Meeks	Taylor	
Cauthen	Grainger	Naramore	Therrell	
Cherner	Gray (F)	Parker (H)	Waggoner	
Cottingham	Hale	Parker (T)	Waldrop	
Crowe	Harris	Perloff	Wallace	
Dill	Hearn	Roberts	Weeks	
Doss	Hill	Robertson	Wynot	
Downing	Jones (E)	St. John		—50

Mr. Williams offered the following substitute to the bill, H. 59:

SYNOPSIS: This bill provides that the Department of Revenue can retain consultants to advise them on procedural changes, as to property reappraisal, needed in each county in the state; can advise the counties of these needed changes; and can require of the counties that they make the changes in order that they may carry out complete reappraisal. It further provides that the Department of Revenue can employ the personnel required to implement these changes if the counties do not comply. The cost of reappraisal shall be prorated. The County Governing Boards are authorized to issue revenue bonds as required to implement the program of reappraisal.

A BILL
TO BE ENTITLED
AN ACT

A bill to provide the manner and method by which State wide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the duties already imposed upon the Department of Revenue of the State of Alabama, it shall be empowered, with the authorization of the Governor, to employ any appraisal firm headed by and under the direction of a duly accredited member or members of the American Institute of Appraisers as consultants to inspect the various systems of assessing in each county and to advise the Department of Revenue of any changes in procedure needed in each of the several counties of the State so as to expedite the state-wide reappraisal as required by law and the existing decree of the United States Supreme Court. Provided that the fee or charge for such inspection, advice and consultation shall not exceed $100,000 for all of the several counties.

Section 2. The Department of Revenue shall consult and advise the

County Governing Bodies, Tax Assessors, and Boards of Equalization as to its findings in each county and shall direct them to conformity in the most expeditious manner.

Section 3. Upon failure of any Tax Assessor to comply with the directions of the Department of Revenue or the Board of Equalization to conduct reappraisal, the Department shall determine whether or not such failure is deliberate or due to some inability or lack of ability on the part of the official or officials concerned.

1. If it is found to be deliberate, then the Department of Revenue shall ask the State Attorney General to take whatever action is necessary to secure compliance with its directives in regards to reappraisal.

2. Should the Department of Revenue find that the reason for noncompliance with its directives and advice are due to inability or lack of ability to comply, then it shall so advise the County Governing Body of the county concerned as to its findings.

3. Upon receiving such advice of inability or lack of ability on the part of the Tax Assessor and/or the Board of Equalization to reappraise properties within the county in conformity with the overall program of the statewide equalization, the County Governing Body shall proceed to hire the necessary qualified appraisers and/or let any contract necessary to assist the Tax Assessor and/or Board of Equalization in his or their reappraisal of properties in accordance with the directives of the Department of Revenue and the laws of the state.

4. Should the County Governing Body fail or refuse to comply with the above requirements, the Department of Revenue is hereby authorized to employ the above-stated qualified personnel and/or let any contract necessary to accomplish the requirements of its directives and legal requirements as to property reappraisal. The costs involved shall be charged to the county and withheld from any monies which are due the county concerned or which may become due until necessary expenses incurred by the Department of Revenue shall have been repaid.

Section 4. However the requirements of state-wide reappraisal are accomplished, whether by the Tax Assessor and Board of Equalization, by action of the County Governing Body, or the Department of Revenue, each and every County Governing Body is hereby authorized to prorate the costs on a millage basis and collect it from each and every agency receiving monies from ad valorem tax including the State of Alabama.

Section 5. The County Governing Bodies of the several counties are hereby authorized to issue any revenue bonds or warrants as it sees fit, in accordance with existing statutes and laws of the State of Alabama, that may be necessary to accomplish the above-stated purpose.

Section 6. All laws or parts of laws in conflict herewith are hereby repealed.

Section 7. This law shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

MOTION TO TABLE LOST

The motion of Mr. Cauthen to table the substitute offered by Mr. Williams to the bill, H. 59, was lost.

Yeas 46; Nays 54.

Yeas:

Messrs.:	Downing	Jones (E)	Smith (K)
Adams	Ellis	Jones (F)	Stokes
Adwell	Erdreich	King	Straiton
Boles	Falkenburg	Lutz	Stubbs
Boutwell	Flippo	McBride	Taylor
Bowers	Gafford	McDonald	Timmons
Carnes	Gloor	Meeks	Waggoner
Cauthen	Grainger	Naramore	Waldrop
Cherner	Gray (F)	Parker (H)	Wallace
Cottingham	Harris	Parker (T)	Weeks
Dill	Hearn	Roberts	Wynot
Doss	Hill	St. John	—46

Mr. Speaker	Coshatt	Kinsey	Reid (R)
Agee	Crawford	Lang	Reynolds
Baker	Cross	McCluskey	Robertson
Barkett	Crowe	McCorquodale	Slate
Bassett	Drake	Manley	Smith (P)
Benton	Easters	Mathews	Snell
Brassell	Edwards	May	Stewart
Burgess	Goodwin	Merrill	Therrell
Callahan	Grey (D)	O'Daniel	Turner
Carter	Hale	Owens	Turnham
Casey	Hardin	Perloff	Warren
Chesnut	Headley	Pruitt	Williams
Collins	Hobbie	Reed (T)	Wise
Connell	Jackson		—54

The question, then, was on the adoption of the substitute offered by Mr. Williams to the bill, H. 59, and the substitute was adopted.

Yeas 56; Nays 44.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Reed (T)
Agee	Crawford	Jackson	Reid (R)
Baker	Cross	Kinsey	Reynolds
Barkett	Crowe	Lang	Slate
Bassett	Drake	McCluskey	Smith (K)
Benton	Easters	McCorquodale	Smith (P)
Brassell	Edwards	Manley	Snell
Burgess	Goodwin	Mathews	Stewart
Callahan	Gray (F)	May	Therrell
Carter	Grey (D)	Merrill	Turner
Casey	Hale	O'Daniel	Turnham
Chesnut	Hardin	Owens	Warren
Collins	Headley	Perloff	Williams
Connell	Hearn	Pruitt	Wise
			—56

Nays:

Messrs.:	Boles	Carnes	Cottingham
Adams	Boutwell	Cauthen	Dill
Adwell	Bowers	Cherner	Doss

Downing	Hill	Naramore	Stubbs
Ellis	Jones (E)	Parker (H)	Taylor
Erdreich	Jones (F)	Parker (T)	Timmons
Falkenburg	King	Roberts	Waggoner
Flippo	Lutz	Robertson	Waldrop
Gafford	McBride	St. John	Wallace
Gloor	McDonald	Stokes	Weeks
Grainger	Meeks	Straiton	Wynot
Harris			

—44

Mr. Hardin offered the following ammendment to the bill, H. 59, as amended:

Immediately after Section 2, insert a new section in the bill to be numbered 3 and to read as follows:

Section 3. All members of each county board of equalization in the State of Alabama shall be required to attend a two-weeks school of instruction in appraising property and valuing property for taxation. Such school shall be conducted by the Revenue Department of the State of Alabama. The school will be staffed by qualified instructors from the real estate and insurance industries or from the Forestry Commission of the State of Alabama or from the Department of Agriculture and Industries or from such other fields and state departments as the department of revenue deems necessary. At the end of the prescribed course each member of a board of equalization shall be required to take an examination. Those members failing to pass the examination satisfactorily shall be replaced and their replacement shall be required to take the same course of instruction the next time the department of revenue offers same.

Each member of the board of equalization who attends a session of the school held pursuant to this Act shall be reimbursed for his expenses at the same rate that employees of the State of Alabama are paid for their expenses when travelling on State business. They shall not, however, be entitled to their regular per diem compensation while attending such school.

Renumber the remaining sections of the bill so that they will be numbered consecutively.

And the amendment was adopted.

Yeas 73; Nays 25.

Mr. Speaker	Coshatt	Hardin	Mims
Adams	Cottingham	Harris	Naramore
Agee	Crawford	Headley	Owens
Bank	Cross	Hearn	Parker (T)
Barkett	Crowe	Hill	Perloff
Bassett	Culver	Hobbie	Pruitt
Brassell	Dill	Jackson	Reed (T)
Burgess	Downing	King	Reid (R)
Callahan	Drake	Kinsey	Roberts
Carnes	Easters	Lang	Robertson
Carter	Ellis	Lutz	Slate
Casey	Flippo	McCluskey	Smith (K)
Cauthen	Grainger	McCorquodale	Smith (P)
Chesnut	Gray (F)	Manley	Stewart
Collins	Grey (D)	May	Stokes
Connell	Hale	Merrill	Straiton

Stubbs	Timmons	Turnham	Wise	
Taylor	Turner	Waldrop	Wynot	
Therrell				—73

Nays:

Messrs.:	Cherner	Jones (E)	Parker (H)	
Adwell	Doss	Jones (F)	St. John	
Baker	Edwards	McBride	Snell	
Benton	Erdreich	McDonald	Waggoner	
Boles	Falkenburg	Mathews	Wallace	
Boutwell	Gafford	Meeks	Weeks	
Bowers	Gloor			—25

And the bill, H. 59, as thus amended:

A bill to provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 33.

Yeas:

Mr. Speaker	Cross	Hill	Reed (T)	
Agee	Crowe	Hobbie	Reynolds	
Baker	Culver	Jackson	Robertson	
Bank	Downing	King	Slate	
Barkett	Drake	Kinsey	Smith (K)	
Bassett	Easters	Lang	Smith (P)	
Benton	Edwards	Lutz	Snell	
Brassell	Flippo	McCorquodale	Stewart	
Burgess	Goodwin	Manley	Therrell	
Callahan	Grainger	May	Turner	
Carnes	Gray (F)	Merrill	Turnham	
Carter	Grey (D)	Mims	Waldrop	
Chesnut	Hale	O'Daniel	Warren	
Collins	Hardin	Owens	Williams	
Connell	Harris	Perloff	Wise	
Coshatt	Headley	Pruitt	Wynot	
Crawford	Hearn			—66

Nays:

Messrs.:	Doss	McDonald	Stokes	
Adams	Ellis	Mathews	Straiton	
Adwell	Erdreich	Meeks	Stubbs	
Boles	Falkenburg	Naramore	Taylor	
Boutwell	Gafford	Parker (H)	Timmons	
Bowers	Gloor	Parker (T)	Waggoner	
Casey	Jones (E)	Roberts	Wallace	
Cherner	Jones (F)	St. John	Weeks	
Cottingham	McBride			—33

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 10. Mourning the death of Fred Allen.

Also:

H. J. R. 11. Mourning the death of Gordon L. Evatt.

Also:

H. J. R. 12. Mourning the death of Hilliard Aronov.

Also:

H. J. R. 13. Mourning the death of John Boddie.

Also:

H. J. R. 14. Congratulating Albert McDonald of Madison County upon being named as the Nation's "Cotton Farmer of the Year".

Also:

H. J. R. 15. Mourning the death of B. Heflin Haynes.

Also:

H. J. R. 16. Mourning the death of William D. Whetstone.

Also:

H. J. R. 17. Mourning the death of John L. Ogletree, Jr.

Also:

H. J. R. 18. Honoring Minter Carney "Jack" Hayes, a great American, and outstanding Alabamian and Major League Baseball Player.

Also:

H. J. R. 22. Commending Livingston State University Football Team for winning the honor of playing for the football championship of the National Association of Intercollegiate Athletics.

Also:

H. J. R. 23. Commending Tom Surlas for winning All Southeastern Conference honors.

Also:

H. J. R. 24. Commending John Hannah for winning All-American honors.

Also:

H. J. R. 25. Commending Robbin Parkhouse for winning All Southeastern Conference honors.

Also:

H. J. R. 26. Commending Jimmy Grammer for winning All Southeastern Conference honors.

Also:

H. J. R. 27. Commending Jim Krapf for winning All-American honors.

Also:

H. J. R. 28. Commending David Bailey for winning All Southeastern Conference honors.

Also:

H. J. R. 29. Commending Johnny Musso for winning All Southeastern Conference honors.

Also:

H. J. R. 30. Commending Johnny Musso for winning All-American honors.

Also:

H. J. R. 31. Commending Steve Higgenbotham for winning All Southeastern Conference honors.

Also:

H. J. R. 32. Commending Jim Krapf for winning All Southeastern Conference honors.

Also:

H. J. R. 33. Commending Tom Surlas for winning All-American honors.

Also:

H. J. R. 34. Demanding an apology or equal time from ABC television for slighting the Southern Sportswriters and Sportscasters for their support of Pat Sullivan in the Heisman Trophy voting.

Also:

H. J. R. 36. Congratulating Peggy Wallace and Robert Crumpton.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 6. To amend Section 18 of Act No. 2052, S. 122, 1971 Regular Session approved October 1, 1971, entitled, "An Act To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to pro-

vide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act."

Was taken up.

Mr. Mathews offered the following substitute to the bill:

SYNOPSIS: This bill amends the 1971 "Mini Code" Act so as to delete the word "life" in the sixth line of subsection (a) of Section 18 thereof immediately preceding the word insurance companies.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 18 of Act No. 2052, S. 122, 1971 Regular Session approved October 1, 1971, entitled, "An Act To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 18 of Act No. 2052, S. 122, 1971 Regular Session, approved October 1, 1971, is hereby amended to read as follows:

"Section 18. (a) No creditor shall engage in the business of making consumer loans, or taking assignments of consumer credit contracts without first having obtained a license for each location from the Administrator, provided however banks chartered by this State or the United States, trust companies, savings or building and loan associations, credit unions, insurance companies and federally constituted agencies shall be exempt from such licensing. (b) The license application shall be in writing, under oath, and in the form prescribed by the Administrator, and the application shall be accompanied by an investigation fee of $100. (c) Upon receipt of the application and investigation fee, the Administrator shall investigate the applicant and determine whether the license should be issued or denied. (d) No license shall be issued unless the Administrator determines that the financial responsibility, character and fitness of the applicant, and of the members thereof (if the applicant is a partnership or association), officers, and directors thereof if the applicant is a corporation, are such as to warrant belief that the business will be operated honestly and fairly within the purpose of this Act, and finds that the applicant has assets available for the operation of business under this Act of at least $25,000.00. (e) Upon written request, the applicant is entitled to a hearing on the question of his qualifications for a license if (a) the Administrator has notified the applicant in writing that his application has been denied, or (b) the Administrator has not issued a license within 60 days after the application for the license was filed. A request for a hearing may not be made more than 15 days after the Administrator has mailed by certified mail a writing to the applicant notifying him that the application has been denied stating in substance the Administrator's findings supporting denial of the application. (f) Any person licensed under the Alabama Small Loan Act as of the effective date of this Act may continue in business under the Alabama Small Loan Act but shall not make loans in excess of $300 unless such person is also licensed under this Act. The payment of the license and examination fees required by this Act shall be in lieu of the license and examination fees

required by the Alabama Small Loan Act when the licensee is also licensed under the Alabama Small Loan Act. (g) Any person subject to licensing hereunder who is not licensed under the Alabama Small Loan Act but is in business on the effective date of this Act must apply for a license hereunder within 30 days thereafter but may continue in business until such application is denied. (h) The license shall be in the form prescribed by the Administrator, posted conspicuously in the place of business of the licensee, and shall not be assignable or transferable or removed to another location without permission of the Administrator. (i) The annual license fee hereunder shall be $200.00 for each office, branch, or place of business of the licensee, due on October 1 of each year and delinguent on November 1 of each year. The Administrator shall assess and collect a penalty of 10% for each month or part thereof the licensee is delinquent in the payment of such license fee. (j) Any person who is engaged in the business of making credit sales, on which finance charges are paid, and who is not licensed under this Act shall file notification with the Administrator within 30 days after the effective date of this Act, and thereafter, on or before July 31 of each year. Any such person who commences business after the effective date of this Act shall file notification with the Administrator within 30 days after commencing business in this state. The notification shall state the name of the person, the name in which his business is transacted, the address of his principal office, and the address of each office or retail store in which credit sales are made. Any person required to file notification shall on or before July 31 of each year pay to the Administrator an annual fee of $10. Such person shall pay an additional fee of $10 for each $100,000.00, or part thereof, in excess of $100,000.00 of the original unpaid balance arising from credit sales made in this state within the preceding calendar year and held by such person for more than 30 days after the credit sale was made. Such person shall not pay a fee on unpaid balances of credit sales which are assigned to a licensee under this Act or to a bank, trust company, savings or building and loan association, or credit union authorized to do business in this state."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 1.

Yeas:

Messrs.:	Cherner	Falkenburg	McBride
Adams	Chesnut	Flippo	McCluskey
Adwell	Connell	Gafford	McCorquodale
Agee	Coshatt	Grainger	McDonald
Bank	Cottingham	Gray (F)	Manley
Barkett	Crawford	Grey (D)	Mathews
Bassett	Cross	Hale	May
Benton	Crowe	Hardin	Meeks
Boles	Culver	Harris	Merrill
Boutwell	Dill	Hill	Mims
Bowers	Doss	Hobbie	Naramore
Brassell	Downing	Jackson	O'Daniel
Burgess	Drake	Jones (E)	Owens
Callahan	Easters	Jones (F)	Parker (T)
Carnes	Edwards	King	Pruitt
Carter	Ellis	Kinsey	Reid (R)
Casey	Erdreich	Lutz	Reynolds

Roberts	Stokes	Turner	Warren
Robertson	Straiton	Turnham	Weeks
St. John	Taylor	Waggoner	Williams
Smith (K)	Therrell	Waldrop	Wise
Smith (P)	Timmons	Wallace	Wynot
Stewart			—88

Nay: Mr. Slate —1

And the bill, H. 6, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 12.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Pruitt
Adams	Cottingham	Jackson	Reed (T)
Agee	Crawford	Jones (E)	Reid (R)
Bank	Cross	Jones (F)	Roberts
Barkett	Culver	King	Robertson
Bassett	Downing	Kinsey	St. John
Benton	Drake	Lutz	Smith (K)
Boles	Easters	McBride	Smith (P)
Boutwell	Edwards	McCluskey	Stokes
Bowers	Ellis	McCorquodale	Straiton
Brassell	Falkenburg	McDonald	Taylor
Burgess	Gafford	Mathews	Therrell
Callahan	Gloor	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Wallace
Cherner	Hale	O'Daniel	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker (T)	Wise
Connell	Headley	Perloff	Wynot
			—80

Nays:

Messrs.:	Dill	Hill	Slate
Baker	Doss	Manley	Timmons
Cauthen	Flippo	Parker (H)	Waldrop
Crowe			—12

And the bill:

H. 82. (With Amendment): To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82, with pending amendment, was postponed to the Fifth Legislative Day.

And the bill:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Was taken up.

H. 67 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was postponed to the Fifth Legislative Day.

And the bill:

H. 41. (With Amendment): To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama Court of Civil Appeals to the Supreme Court of Alabama.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend H. B. 41 by adding thereto Section 3 to read as follows:

"Section 3. This Act shall become effective upon its passage by the legislature and signature of the Governor, or its otherwise becoming law."

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Culver	King	St. John
Adwell	Dill	Kinsey	Slate
Bank	Doss	Lutz	Smith (K)
Bassett	Downing	McBride	Smith (P)
Benton	Drake	McCluskey	Stewart
Boles	Edwards	McCorquodale	Stokes
Boutwell	Ellis	McDonald	Straiton
Bowers	Erdreich	Manley	Stubbs
Brassell	Falkenburg	May	Taylor
Callahan	Flippo	Meeks	Therrell
Carnes	Gafford	Merrill	Timmons
Carter	Gloor	Mims	Turner
Casey	Grainger	Naramore	Turnham
Cauthen	Gray (F)	O'Daniel	Waggoner
Cherner	Grey (D)	Owens	Waldrop
Chesnut	Hardin	Parker (H)	Wallace
Collins	Harris	Parker (T)	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Cross	Jones (E)	Reed (T)	Wynot

—84

And the bill, H. 41, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	St. John
Adams	Culver	King	Slate
Adwell	Dill	Kinsey	Smith (K)
Baker	Doss	Lutz	Smith (P)
Bank	Downing	McBride	Stewart
Bassett	Drake	McCluskey	Stokes
Benton	Edwards	McCorquodale	Straiton
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	Manley	Taylor
Bowers	Falkenburg	Meeks	Therrell
Brassell	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turner
Carnes	Gloor	Naramore	Turnham
Carter	Grainger	O'Daniel	Waggoner
Casey	Gray (F)	Owens	Waldrop
Cauthen	Grey (D)	Parker (H)	Wallace
Cherner	Hardin	Parker (T)	Warren
Chesnut	Harris	Perloff	Weeks
Coshatt	Headley	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wynot
Cross	Jones (E)	Reid (R)	—83

And the bill:

H. 42. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur in the Court's decision; and to appropriate monies to carry out the provisions hereof.

Was taken up.

Mr. Pruitt offered the following amendment to the bill:

In Section 1, "Section 21", delete the words at the end of the first paragraph as follows: "for a term as prescribed by Code 1940, T. 13, Sec. 16."

Also, at the end of the second paragraph, delete the words: "for a term as prescribed by Code 1940, T. 13, Sec. 16."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Falkenburg
Adams	Callahan	Crowe	Flippo
Adwell	Carnes	Culver	Gafford
Baker	Carter	Dill	Gloor
Bank	Casey	Doss	Grainger
Bassett	Cauthen	Downing	Gray (F)
Benton	Cherner	Drake	Grey (D)
Boles	Chesnut	Edwards	Hale
Boutwell	Coshatt	Ellis	Hardin
Bowers	Cottingham	Erdreich	Harris

Headley	Manley	Reid (R)	Timmons
Hill	May	St. John	Turner
Jackson	Meeks	Slate	Turnham
Jones (E)	Merrill	Smith (K)	Waggoner
Jones (F)	Mims	Smith (P)	Waldrop
King	Naramore	Stewart	Wallace
Kinsey	O'Daniel	Stokes	Warren
Lutz	Owens	Straiton	Weeks
McBride	Parker (H)	Stubbs	Williams
McCluskey	Parker (T)	Taylor	Wise
McCorquodale	Perloff	Therrell	Wynot
McDonald	Pruitt		—86

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Grey (F) to have his name added as co-sponsor to the bill, H. 42.

And the bill, H. 42, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adams	Doss	Kinsey	Smith (K)
Adwell	Downing	Lutz	Smith (P)
Baker	Drake	McBride	Stewart
Bassett	Edwards	McCluskey	Stokes
Benton	Ellis	McCorquodale	Straiton
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Coshatt	Harris	Parker (T)	Weeks
Cottingham	Hill	Pruitt	Williams
Cross	Jackson	Reed (T)	Wise
Crowe	Jones (E)	Reid (R)	Wynot
Culver	Jones (F)	St. John	—83

RESOLUTIONS

The following resolutions were introduced:

By Mr. Headley:

H. J. R. 46. MOURNING THE DEATH OF GORDON L. ROBERTSON

WHEREAS, Gordon L. Robertson, a great American, a prominent Alabama businessman and civic leader, passed away; and

WHEREAS, Gordon L. Robertson served his county honorably as an officer in the United States Army; and

WHEREAS, Gordon L. Robertson was a member of Clanton Lions Club, First Methodist Church and numerous other business and civic organizations; and

WHEREAS, Gordon L. Robertson was a Christian gentleman with much wisdom and foresight; and

WHEREAS, Gordon L. Robertson was a compassionate and religious man who spoke frankly and truthfully to all; and

WHEREAS, Gordon L. Robertson gave of himself to his fellow man by his numerous good deeds and his concern for the less fortunate thereby earning their high esteem.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature mourns the death of Gordon L. Robertson and extends its heartfelt sympathy to his wife, Clois; his son, Gordon, Jr.: and his daughter, Mrs. Betty R. Gilmore.

BE IT FURTHER RESOLVED That copies of this resolution be sent to members of the family of Gordon L. Robertson.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 46, on the Clerk's desk for one legislative day.

Also:

By Messrs. Waggoner, McBride and Turnham:

H. J. R. 47. COMMENDING TOMMY YEAROUT FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS AND ALL AMERICAN HONORS

WHEREAS Tommy Yearout, defensive tackle on the Auburn University football team, has been selected a member of the All Southeastern Conference Team and Honorable Mention All American; and

WHEREAS Tommy Yearout is an outstanding defensive tackle in the finest Auburn tradition as exemplified by his selection as Lineman of the Week in the Southeastern Conference for his defensive play against Georgia Tech; and his third place ranking in the voting for the defensive player of the year in the Southeastern Conference; and

WHEREAS Tommy Yearout was honored by his teammates through his selection as alternate captain of the 1971 Auburn football team; and

WHEREAS Tommy Yearout is representative of a family tradition of outstanding football players being preceded by his brother, Gusty Yearout, who captained Auburn University football elevens in 1966 and 1967, and his uncle, Vick Costellos, captain of the 1942 Auburn football team; and

WHEREAS this fine young athlete has brought honor to his hometown, Birmingham, and the State of Alabama; and

WHEREAS his accomplishments are among the highest awards that can be earned by a football player; NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature extends its heartiest congratulations to Tommy Yearout for winning these honors.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Tommy Yearout and his parents, Mr. and Mrs. Joseph Boyd.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 47, on the Clerk's desk for one legislative day.

Also:

By Messrs. Wallace, Dill, Timmons, Ellis, Parker (H), Boles, Jones (E), Bowers, Meeks, Waggoner, McBride, Boutwell, Weeks, Adwell, Doss, Erdreich, Falkenburg, Gafford, Gloor and Cherner:

H. J. R. 48. CONGRATULATING TARRANT CITY HIGH SCHOOL FOOTBALL TEAM FOR WINNING THE STATE CHAMPIONSHIP FOR CLASS 3-A.

WHEREAS the Tarrant City High School football team, "The Wildcats," have been duly crowned the Alabama State Champions for class 3-A; and

WHEREAS this football team completed the season with a perfect 13-0 record, which is Tarrant City's first perfect season since 1964; and

WHEREAS this football team displayed a dedication to the "cause" that is a characteristic of championship teams on all levels of the sports world; and

WHEREAS this football team displayed extraordinary skill both offensively and defensively and showed tremendous character and determination throughout the long and hard season; and

WHEREAS this phenomenal feat was achieved under the leadership of Head Coach Charles "Buddy" Hearn who is truly a "number one coach"; and

WHEREAS Coach Hearn's terrific staff of assistant coaches consisting of Hollis Beecham, Lynn Kimbrough, K. M. Seale and Jack Foshee contributed immeasurably to the success of this great football team; and

WHEREAS the fantastic crew of cheerleaders of Tarrant City High School gave marvelous encouragement and inspiration to this state championship football team; and

WHEREAS the student body of Tarrant City and the school band displayed an admirable spirit of "oneness" and supported this great football team from beginning to end; and

WHEREAS this legislature takes tremendous pride in the achievement of this great football team; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature extends its jubilant congratulations to the Tarrant City High School football team for winning the Alabama State High School Championship for Class 3-A.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the football team, Head Coach Charles "Buddy" Hearn, Assistant Coaches Hollis Beecham, Lynn Kimbrough, K. M. Seale and Jack Foshee, Principal Hugh Evans and Tarrant City High School.

On motion of Mr. Wallace, the rules were suspenced and the resolution, H. J. R. 48, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 90. To make a supplemental appropriation to the Bureau of Credit Unions of the Department of Banking for the fiscal years ending September 30, 1972 and September 30, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (E)	Reynolds
Adams	Doss	Jones (F)	St. John
Adwell	Downing	King	Slate
Baker	Drake	Kinsey	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Erdreich	McBride	Stokes
Boles	Falkenburg	McCluskey	Straiton
Boutwell	Gafford	McDonald	Stubbs
Brassell	Goodwin	May	Taylor
Carnes	Grainger	Meeks	Therrell
Carter	Gray (F)	Merrill	Timmons
Casey	Grey (D)	Mims	Turner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	O'Daniel	Warren
Coshatt	Harris	Owens	Weeks
Cross	Headley	Perloff	Williams
Crowe	Hobbie	Reed (T)	Wise
Culver	Jackson	Reid (R)	Wynot

—72

And the bill:

H. 4. To make additional appropriations to the Divisions of Game and Fish, Water Safety, Administrative and State Parks of the Department of Conservation and Natural Resources.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Flippo	King
Adams	Cauthen	Gafford	Kinsey
Adwell	Chesnut	Gloor	Lutz
Agee	Coshatt	Goodwin	McBride
Baker	Cottingham	Grainger	McCluskey
Bank	Cross	Gray (F)	McCorquodale
Bassett	Crowe	Grey (D)	McDonald
Benton	Culver	Hale	Mathews
Boles	Dill	Hardin	May
Boutwell	Doss	Harris	Meeks
Bowers	Downing	Hill	Merrill
Brassell	Drake	Hobbie	Mims
Callahan	Edwards	Jackson	Naramore
Carnes	Erdreich	Jones (E)	Owens
Carter	Falkenburg	Jones (F)	Parker (H)

Parker (T)	St. John	Straiton	Wallace
Perloff	Slate	Taylor	Warren
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Timmons	Wise
Reynolds	Stewart	Turner	Wynot
Robertson	Stokes	Waldrop	—83

And the bill:

H. 5. To make appropriations from the Water Safety Fund in the State Treasury for Division of Water Safety capital improvements.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (E)	Reid (R)
Adams	Doss	Jones (F)	Reynolds
Adwell	Downing	King	Robertson
Agee	Drake	Kinsey	St. John
Baker	Edwards	Lutz	Slate
Bank	Erdreich	McBride	Smith (K)
Bassett	Falkenburg	McCluskey	Smith (P)
Benton	Flippo	McCorquodale	Stewart
Boles	Gafford	McDonald	Stokes
Boutwell	Gloor	Manley	Straiton
Brassell	Goodwin	Mathews	Stubbs
Callahan	Grainger	May	Taylor
Carnes	Gray (F)	Meeks	Therrell
Carter	Grey (D)	Merrill	Timmons
Casey	Hale	Mims	Turner
Cauthen	Hardin	Naramore	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hill	Parker (H)	Williams
Cross	Hobbie	Pruitt	Wise
Crowe	Jackson	Reed (T)	Wynot
Culver			—85

And the bill:

H. 103. (With Amendment): To make appropriations from the Alabama special educational trust fund in the state treasury for the use and benefit of The State Training School for Girls.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend the bill by striking the figure $120,000 in the first line of section 1, and substitute in lieu thereof the figure $75,000.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Flippo	Manley	Straiton
Brassell	Gafford	Mathews	Taylor
Callahan	Gloor	May	Therrell
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turner
Casey	Grey (D)	Mims	Turnham
Cauthen	Hale	Naramore	Waggoner
Chesnut	Hardin	O'Daniel	Waldrop
Coshatt	Harris	Owens	Wallace
Cottingham	Hill	Parker (H)	Warren
Cross	Hobbie	Perloff	Williams
Crowe	Jackson	Pruitt	Wise
Culver	Jones (E)	Reed (T)	Wynot

—84

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" to have their names added as co-sponsors to the bill, H. 103.

And the bill, H. 103, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Reynolds
Adams	Downing	Lutz	Robertson
Adwell	Drake	McBride	St. John
Baker	Edwards	McCluskey	Slate
Bank	Ellis	McCorquodale	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	Manley	Stewart
Boles	Gafford	Mathews	Stokes
Boutwell	Gloor	May	Straiton
Bowers	Goodwin	Meeks	Taylor
Brassell	Grainger	Merrill	Therrell
Callahan	Gray (F)	Mims	Timmons
Carnes	Grey (D)	Naramore	Turner
Carter	Hale	O'Daniel	Turnham
Casey	Hardin	Owens	Waggoner
Cauthen	Harris	Parker (H)	Waldrop
Chesnut	Hill	Parker (T)	Wallace
Coshatt	Hobbie	Perloff	Warren
Cottingham	Jackson	Pruitt	Williams
Cross	Jones (E)	Reed (T)	Wise
Crowe	Jones (F)	Reid (R)	Wynot
Dill	King		

—86

And the bill:

H. 81. To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund, so as to provide for the expenditure of funds for salaries, other expenses, equipment purchases, and for clinician and radiologist fees for tuberculosis and chronic lung disorders treatment.

Was taken up.

H. 81 CARRIED OVER

On motion of Mr. Roberts, the bill, H. 81, was temporarily carried over.

And the bill:

H. 63. To make a supplemental appropriation to the Legislative Reference Service for the fiscal years ending September 30, 1972, and September 30, 1973.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reynolds
Adams	Dill	King	Roberts
Adwell	Doss	Kinsey	Robertson
Baker	Downing	Lutz	St. John
Bank	Drake	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Stewart
Boutwell	Gafford	Manley	Stokes
Brassell	Gloor	Mathews	Straiton
Burgess	Goodwin	May	Stubbs
Callahan	Grainger	Meeks	Taylor
Carnes	Gray (F)	Merrill	Therrell
Carter	Grey (D)	Mims	Timmons
Casey	Hale	Naramore	Turner
Cauthen	Hardin	O'Daniel	Turnham
Chesnut	Harris	Owens	Waggoner
Collins	Headley	Parker (H)	Wallace
Coshatt	Hill	Parker (T)	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jackson	Reed (T)	Wise
Crowe	Jones (E)	Reid (R)	Wynot

—88

Nay: Mr. Erdreich —1

And the bill:

H. 66. To make supplemental appropriations to the Dairy Commission for the fiscal years ending September 30, 1972 and September 30, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Robertson
Adams	Drake	Kinsey	St. John
Baker	Edwards	Lutz	Slate
Bank	Ellis	McBride	Smith (K)
Bassett	Erdreich	McCluskey	Smith (P)
Benton	Falkenburg	McCorquodale	Stewart
Boles	Flippo	McDonald	Stokes
Boutwell	Gafford	Manley	Straiton
Brassell	Gloor	Mathews	Stubbs
Carnes	Goodwin	May	Taylor
Carter	Grainger	Meeks	Therrell
Casey	Gray (F)	Merrill	Timmons
Cauthen	Grey (D)	Mims	Turner
Cherner	Hale	Naramore	Waggoner
Chesnut	Hardin	O'Daniel	Waldrop
Coshatt	Harris	Owens	Wallace
Cottingham	Headley	Parker (H)	Warren
Cross	Hill	Perloff	Weeks
Crowe	Hobbie	Pruitt	Williams
Culver	Jackson	Reid (R)	Wise
Dill	Jones (E)	Reynolds	Wynot
Doss	Jones (F)		

—86

And the bill:

H. 86. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Robertson
Adams	Downing	Lutz	St. John
Agee	Drake	McBride	Slate
Baker	Edwards	McCluskey	Smith (K)
Bank	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Gloor	Mathews	Straiton
Brassell	Goodwin	May	Taylor
Carnes	Grainger	Meeks	Therrell
Carter	Grey (D)	Merrill	Timmons
Casey	Hale	Mims	Turner
Cauthen	Hardin	Naramore	Waggoner
Cherner	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Coshatt	Hill	Parker (H)	Warren
Cottingham	Hobbie	Perloff	Weeks
Cross	Jackson	Pruitt	Williams
Crowe	Jones (E)	Reid (R)	Wise
Culver	Jones (F)	Reynolds	Wynot
Dill	King		

—82

And the bill:

H. 16. To amend Section 5 of Act #2307 of 1971 Regular Session relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Adams	Downing	Lutz	Robertson
Agee	Drake	McBride	St. John
Baker	Edwards	McCluskey	Slate
Bank	Erdreich	McCorquodale	Smith (K)
Bassett	Falkenburg	McDonald	Smith (P)
Benton	Flippo	Manley	Stewart
Boles	Gafford	Mathews	Stokes
Boutwell	Goodwin	May	Straiton
Brassell	Grainger	Meeks	Stubbs
Carnes	Grey (D)	Merrill	Therrell
Carter	Hale	Mims	Timmons
Casey	Hardin	Naramore	Turner
Cauthen	Harris	O'Daniel	Waggoner
Cherner	Headley	Owens	Waldrop
Chesnut	Hill	Parker (H)	Wallace
Coshatt	Hobbie	Parker (T)	Warren
Cottingham	Jackson	Perloff	Weeks
Cross	Jones (E)	Pruitt	Williams
Crowe	Jones (F)	Reid (R)	Wise
Culver	King	Reynolds	Wynot
Dill			

—85

And the bill:

H. 91. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary-reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the Personnel Board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Carter	Doss	Hale
Adams	Casey	Downing	Hardin
Baker	Cauthen	Drake	Harris
Bank	Cherner	Edwards	Headley
Bassett	Chesnut	Erdreich	Hill
Benton	Coshatt	Falkenburg	Hobbie
Boles	Cottingham	Flippo	Jackson
Boutwell	Cross	Gafford	Jones (E)
Bowers	Crowe	Gloor	Jones (F)
Brassell	Culver	Grainger	King
Carnes	Dill	Grey (D)	Kinsey

Lutz	Naramore	St. John	Timmons
McBride	O'Daniel	Slate	Turner
McCluskey	Owens	Smith (K)	Waggoner
McCorquodale	Parker (H)	Smith (P)	Waldrop
McDonald	Parker (T)	Stewart	Wallace
Manley	Perloff	Stokes	Warren
Mathews	Pruitt	Straiton	Weeks
May	Reid (R)	Stubbs	Williams
Meeks	Roberts	Taylor	Wise
Merrill	Robertson	Therrell	Wynot
Mims			

—85

And the bill:

H. 87. (With Amendment): To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 87 by striking from the bill the second paragraph in Section (3).

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	St. John
Adams	Doss	Lutz	Slate
Baker	Downing	McBride	Smith (K)
Bank	Drake	McCorquodale	Smith (P)
Bassett	Edwards	McDonald	Stewart
Benton	Erdreich	Manley	Stokes
Boles	Falkenburg	Mathews	Straiton
Boutwell	Flippo	May	Stubbs
Bowers	Gafford	Meeks	Therrell
Brassell	Grainger	Merrill	Timmons
Carnes	Grey (D)	Mims	Turner
Carter	Hale	Naramore	Turnham
Casey	Hardin	O'Daniel	Waggoner
Cherner	Harris	Owens	Waldrop
Chesnut	Headley	Parker (H)	Wallace
Collins	Hill	Parker (T)	Warren
Coshatt	Hobbie	Perloff	Weeks
Cottingham	Jackson	Pruitt	Williams
Cross	Jones (E)	Reid (R)	Wise
Crowe	Jones (F)	Roberts	Wynot
Culver	King	Robertson	

—83

And the bill, H. 87, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	Robertson
Adams	Doss	Lutz	St. John
Baker	Downing	McBride	Slate
Bank	Drake	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Erdreich	Manley	Stewart
Boles	Falkenburg	Mathews	Stokes
Boutwell	Flippo	May	Straiton
Bowers	Gafford	Meeks	Taylor
Brassell	Grainger	Merrill	Therrell
Carnes	Gray (F)	Mims	Timmons
Carter	Grey (D)	Naramore	Turner
Casey	Hale	O'Daniel	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Collins	Headley	Parker (T)	Wallace
Coshatt	Hill	Perloff	Warren
Cottingham	Jackson	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reid (R)	Wise
Culver	King	Roberts	Wynot

—84

And the bill:

H. 107. To exempt authorities now or hereafter organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Crowe	Headley	Mims
Adams	Culver	Hill	Naramore
Bank	Dill	Hobbie	O'Daniel
Barkett	Doss	Jackson	Owens
Bassett	Downing	Jones (E)	Parker (H)
Benton	Drake	Jones (F)	Parker (T)
Boles	Edwards	King	Perloff
Boutwell	Erdreich	Kinsey	Pruitt
Bowers	Falkenburg	Lutz	Reid (R)
Brassell	Flippo	McBride	Reynolds
Callahan	Gafford	McCluskey	Roberts
Carnes	Goodwin	McCorquodale	St. John
Carter	Grainger	McDonald	Smith (K)
Casey	Gray (F)	Manley	Smith (P)
Cauthen	Grey (D)	Mathews	Stewart
Cherner	Hale	May	Stokes
Coshatt	Hardin	Meeks	Straiton
Cross	Harris	Merrill	Stubbs

Therrell	Turnham	Wallace	Williams
Timmons	Waggoner	Warren	Wise
Turner	Waldrop	Weeks	Wynot

—84

Nay: Mr. Slate —1

And the bill:

H. 116. To make additional appropriations to the Department of Public Safety.

Was taken up.

Messrs. Waldrop and Carnes offered the following amendment #1 to the bill:

Amend Section 1 of House Bill No. 116 to read as follows:

"Section 1. In addition to all other appropriations heretofore made to the Department of Public Safety, there is hereby appropriated from the State General Fund for each of the fiscal years ending September 30, 1972 and September 30, 1973 the sum of $1,000,000. Said sum shall be used for purchasing a screen or other device securely mounted between the front and rear seats of all 4-door vehicles used by employees of the said department in enforcing the laws of this state, in order to protect such employees from assault by prisoners; for salaries of additional troopers in the Enforcement Division; for equipment and automotive equipment purchases; and for other expenses."

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment was tabled.

Yeas 80; Nays 13.

Yeas:

Mr. Speaker	Crawford	Kinsey	St. John
Adams	Cross	Lang	Slate
Adwell	Crowe	Lutz	Smith (K)
Agee	Culver	McCluskey	Smith (P)
Baker	Dill	McCorquodale	Snell
Bank	Downing	McDonald	Stewart
Barkett	Drake	Manley	Stokes
Bassett	Easters	Mathews	Straiton
Boles	Edwards	Meeks	Stubbs
Boutwell	Falkenburg	Merrill	Therrell
Bowers	Goodwin	Mims	Timmons
Brassell	Grainger	Naramore	Turner
Burgess	Grey (D)	O'Daniel	Turnham
Callahan	Hale	Owens	Waggoner
Casey	Hardin	Parker (T)	Wallace
Cauthen	Headley	Perloff	Warren
Chesnut	Hobbie	Pruitt	Weeks
Collins	Jackson	Reid (R)	Williams
Connell	Jones (E)	Reynolds	Wise
Cottingham	King	Roberts	Wynot

—80

Nays:

Messrs.:	Coshatt	Gray (F)	Parker (H)
Carnes	Erdreich	Hill	Robertson
Carter	Flippo	McBride	Waldrop
Cherner	Gafford		—13

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Cottingham to have his name added as co-sponsor to the bills, H. 66, H. 86, H. 16, H. 91 and H. 87.

Unanimous consent was granted Mr. Burgess to have his name added as co-sponsor to the bill. H. 116.

H. 116 RESUMED

Messrs. Waldrop and Carnes offered the following amendment #2 to the bill, H. 116:

Amend House Bill No. 116 by adding immediately after the word "purchases" where the same appears therein the following. "for the Enforcement Division".

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment was tabled.

Yeas 68; Nays 22.

Yeas:

Mr. Speaker	Cross	King	St. John
Adams	Culver	Kinsey	Slate
Agee	Downing	Lang	Smith (K)
Baker	Drake	McCluskey	Smith (P)
Bank	Easters	McCorquodale	Snell
Barkett	Edwards	McDonald	Stokes
Bassett	Falkenburg	Mathews	Stubbs
Boles	Gloor	Meeks	Therrell
Bowers	Grainger	Merrill	Timmons
Brassell	Grey (D)	Mims	Turner
Burgess	Hale	O'Daniel	Turnham
Callahan	Hardin	Owens	Waggoner
Chesnut	Headley	Parker (T)	Wallace
Collins	Hobbie	Perloff	Warren
Connell	Jackson	Pruitt	Weeks
Cottingham	Jones (E)	Reid (R)	Williams
Crawford	Jones (F)	Roberts	Wynot
			—68

Nays:

Messrs.:	Cherner	Flippo	Naramore
Adwell	Coshatt	Gafford	Parker (H)
Boutwell	Crowe	Gray (F)	Robertson
Carnes	Dill	Hill	Stewart
Carter	Doss	Lutz	Waldrop
Cauthen	Erdreich	McBride	—22

Mr. Reed (T) offered the following amendment # 1 to the bill, H. 116:

Section 1 of H. B. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: and said state troopers shall be of the Negro race.)

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment was tabled.

Yeas 58; Nays 3.

Yeas:

Mr. Speaker	Coshatt	McCorquodale	Slate
Baker	Cottingham	McDonald	Smith (K)
Bank	Crawford	Mathews	Snell
Barkett	Cross	Meeks	Stewart
Bowers	Downing	Merrill	Stokes
Brassell	Drake	Mims	Therrell
Burgess	Edwards	Naramore	Timmons
Callahan	Grainger	O'Daniel	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Casey	Headley	Perloff	Waldrop
Cauthen	Jackson	Pruitt	Warren
Chesnut	King	Roberts	Williams
Collins	Lang	St. John	Wynot
Connell	Lutz		—58

Nays: Messrs.: Falkenburg, Gray (F) and Reed (T) —3

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Burgess for the Journal to show him voting "Yea" on the bills, H. 4 and H. 5.

H. 116 RESUMED

Mr. Gray (F) offered the following amendment # 1 to the bill, H. 116:

Section 1 of H. B. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: and Fifty of said state troopers shall be of the Negro race.)

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment was tabled.

Yeas 54; Nays 8.

Yeas:

Mr. Speaker	Bowers	Carnes	Chesnut
Baker	Brassell	Carter	Collins
Bank	Burgess	Casey	Connell
Barkett	Callahan	Cauthen	Coshatt

Cottingham	Jackson	Naramore	Therrell	
Crawford	King	Owens	Timmons	
Cross	Lang	Parker (T)	Turner	
Crowe	Lutz	Pruitt	Turnham	
Downing	McBride	Roberts	Waggoner	
Drake	Manley	Slate	Waldrop	
Edwards	Mathews	Smith (K)	Warren	
Grainger	Meeks	Snell	Williams	
Grey (D)	Merrill	Stokes	Wynot	
Hale	Mims			—54

Nays:

Messrs.:	Dill	Gray (F)	Reed (T)	
Adwell	Doss	Harris	St. John	
Boutwell				—8

Mr. Gray (F) offered the following amendment # 2 to the bill, H. 116:

Section 1 of H. B. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: and twenty-five of said state troopers shall be of the Negro race.)

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment was tabled.

Yeas 42; Nays 25.

Yeas:

Mr. Speaker	Connell	Manley	Smith (K)	
Baker	Cottingham	Mathews	Snell	
Barkett	Crawford	May	Stokes	
Benton	Cross	Meeks	Therrell	
Bowers	Downing	Merrill	Timmons	
Brassell	Drake	Mims	Turner	
Burgess	Grainger	Naramore	Turnham	
Callahan	Grey (D)	Owens	Waggoner	
Casey	Jackson	Pruitt	Warren	
Chesnut	Lang	Roberts	Williams	
Collins	Lutz			—42

Nays:

Messrs.:	Coshatt	Goodwin	Perloff	
Adwell	Crowe	Gray (F)	Reed (T)	
Agee	Culver	Hale	St. John	
Boutwell	Dill	Harris	Slate	
Carnes	Doss	Hill	Waldrop	
Carter	Falkenburg	King	Wynot	
Cauthen	Flippo	Parker (T)		—25

Mr. Reed (T) offered the following amendment # 2 to the bill, H. 116:

Section 1 of H. B. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: and 10 said state troopers shall be of the Negro race.)

AMENDMENT TABLED

On motion of Mr. Mathews the amendment was tabled.

Yeas 40; Nays 31.

Yeas:

Mr. Speaker	Connell	Lutz	Roberts
Adams	Cottingham	McCorquodale	Smith (K)
Baker	Crawford	Mathews	Snell
Bowers	Cross	Meeks	Therrell
Brassell	Downing	Merrill	Timmons
Burgess	Drake	Mims	Turner
Callahan	Gafford	Naramore	Turnham
Casey	Grainger	O'Daniel	Waggoner
Chesnut	Grey (D)	Owens	Warren
Collins	Jackson	Pruitt	Williams

—40

Nays:

Messrs.:	Coshatt	Hale	Manley
Adwell	Crowe	Hardin	Parker (T)
Agee	Culver	Harris	Perloff
Bank	Dill	Hill	Reed (T)
Benton	Doss	Jones (F)	St. John
Boutwell	Falkenburg	King	Stokes
Carnes	Flippo	Kinsey	Waldrop
Cauthen	Gray (F)	McBride	Wynot

—31

MOTION TO POSTPONE H. 116

Mr. Reed (T) moved to postpone the bill, H. 116, to the Sixth Legislative Day.

MOTION TO POSTPONE TABLED

On motion of Mr. Mathews, the motion of Mr. Reed (T) to postpone the bill, H. 116, to the Sixth Legislative Day was tabled.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker	Connell	Headley	Roberts
Adams	Coshatt	Hobbie	St. John
Baker	Cottingham	Jones (E)	Slate
Bank	Crawford	McBride	Smith (K)
Boles	Cross	McCorquodale	Snell
Bowers	Crowe	Manley	Therrell
Brassell	Downing	Mathews	Timmons
Burgess	Drake	Meeks	Turner
Callahan	Edwards	Merrill	Turnham
Carter	Gafford	Mims	Waggoner
Casey	Gloor	Naramore	Warren
Cauthen	Grainger	O'Daniel	Williams
Chesnut	Grey (D)	Owens	Wise
Collins	Hardin	Pruitt	

—55

Nays:

Messrs.:	Easters	Hill	Reid (R)
Benton	Erdreich	King	Stewart
Boutwell	Falkenburg	Lutz	Stokes
Carnes	Flippo	Parker (T)	Waldrop
Culver	Gray (F)	Perloff	Weeks
Dill	Hale	Reed (T)	Wynot
Doss			—24

MOTION TO INDEFINITELY POSTPONE LOST

The motion of Mr. Reed (T) to indefinitely postpone the bill, H. 116, was lost.

Yeas 14; Nays 71.

Yeas:

Messrs.:	Flippo	Hill	Stewart
Boutwell	Gafford	King	Stokes
Dill	Gray (F)	Lutz	Wallace
Erdreich	Hale	Reed (T)	—14

Nays:

Mr. Speaker	Collins	Jones (E)	Roberts
Adams	Connell	Jones (F)	St. John
Adwell	Coshatt	Kinsey	Slate
Agee	Cottingham	Lang	Smith (K)
Baker	Crawford	McBride	Smith (P)
Bank	Cross	McCluskey	Snell
Barkett	Crowe	McCorquodale	Therrell
Benton	Doss	Manley	Timmons
Boles	Downing	Mathews	Turner
Bowers	Drake	Meeks	Turnham
Brassell	Easters	Merrill	Waggoner
Burgess	Edwards	Mims	Waldrop
Callahan	Grainger	Naramore	Warren
Carnes	Grey (D)	O'Daniel	Weeks
Carter	Hardin	Owens	Williams
Casey	Headley	Perloff	Wise
Cauthen	Hobbie	Pruitt	Wynot
Chesnut	Jackson	Reid (R)	—71

RECESS

On motion of Mr. Lutz, the House stood in informal recess.

Yeas 57; Nays 16.

Yeas:

Messrs.:	Brassell	Culver	Gray (F)
Adams	Carnes	Dill	Grey (D)
Adwell	Casey	Doss	Hale
Agee	Cauthen	Easters	Hardin
Bank	Connell	Erdreich	Harris
Barkett	Coshatt	Falkenburg	Hill
Benton	Crawford	Flippo	Hobbie
Boutwell	Crowe	Grainger	Jones (E)

Jones (F)	Merrill	St. John	Timmons
King	Mims	Slate	Waldrop
Kinsey	Naramore	Smith (K)	Wallace
Lang	Parker (T)	Stewart	Warren
Lutz	Reed (T)	Stokes	Weeks
McBride	Reid (R)	Straiton	Wynot
Manley	Roberts		

—57

Nays:

Mr. Speaker	Cottingham	Gloor	Pruitt
Bowers	Downing	Jackson	Therrell
Burgess	Drake	Owens	Turner
Collins	Gafford	Perloff	Wise

—16

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RECESS

On motion of Mr. Lutz, the House recessed for five minutes.

Yeas 52; Nays 23.

Yeas:

Messrs.:	Cottingham	Harris	Roberts
Adams	Crawford	Hill	Robertson
Adwell	Crowe	Hobbie	St. John
Agee	Culver	Jones (E)	Slate
Bank	Doss	Jones (F)	Smith (K)
Benton	Downing	King	Stewart
Boles	Easters	Lutz	Stokes
Boutwell	Erdreich	McBride	Straiton
Brassell	Falkenburg	Merrill	Timmons
Carnes	Flippo	Naramore	Waldrop
Casey	Grainger	Parker (T)	Wallace
Cauthen	Gray (F)	Reed (T)	Weeks
Cherner	Hale	Reid (R)	Wynot
Coshatt			

—52

Nays:

Mr. Speaker	Connell	Jackson	Pruitt
Barkett	Drake	Kinsey	Therrell
Bowers	Gafford	McCorquodale	Turner
Burgess	Gloor	Mathews	Warren
Callahan	Hardin	Owens	Wise
Collins	Headley	Perloff	

—23

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

H. 116 RESUMED

Messrs. Reed (T) and Gray (F) offered the following amendment to the bill:

Section 1 of House Bill No. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: "and that said state troopers shall be employed without regard to race, color, or creed.)"

And the amendment was adopted.

Yeas 92; Nays 2.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reynolds
Adams	Crawford	Jones (E)	Roberts
Adwell	Cross	Jones (F)	Robertson
Agee	Crowe	King	St. John
Baker	Culver	Kinsey	Smith (K)
Bank	Dill	Lang	Smith (P)
Barkett	Doss	Lutz	Snell
Bassett	Downing	McBride	Stewart
Benton	Drake	McCluskey	Stokes
Boles	Easters	McCorquodale	Straiton
Boutwell	Edwards	McDonald	Stubbs
Bowers	Falkenburg	Manley	Therrell
Brassell	Flippo	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Cauthen	Hale	Naramore	Wallace
Cherner	Hardin	Owens	Warren
Chesnut	Harris	Parker (T)	Weeks
Collins	Headley	Perloff	Williams
Connell	Hill	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wynot

—92

Nays: Messrs.: Burgess and Gafford —2

Mrs. Wynot offered the following amendment #1 to the bill, H. 116, as amended:

Section 1 of House Bill 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words:

"and twenty-five of said state troopers shall be women."

AMENDMENT TABLED

On motion of Mr. Bank, the amendment was tabled.

Yeas 57; Nays 19.

Yeas:

Mr. Speaker	Boles	Chesnut	Crowe
Adams	Bowers	Collins	Culver
Baker	Brassell	Connell	Dill
Bank	Casey	Cottingham	Downing
Barkett	Cauthen	Crawford	Edwards

Gafford	Lang	Owens	Stubbs
Goodwin	Lutz	Parker (T)	Taylor
Grainger	McBride	Pruitt	Therrell
Hale	McCluskey	Reynolds	Timmons
Hardin	McCorquodale	Slate	Turner
Harris	Manley	Smith (K)	Waggoner
Headley	Mathews	Snell	Weeks
Jackson	Meeks	Stokes	Williams
Jones (E)	Merrill	Straiton	Wise
King			

—57

Nays:

Messrs.:	Coshatt	Gray (F)	Robertson
Boutwell	Cross	Kinsey	St. John
Burgess	Doss	Mims	Stewart
Carnes	Drake	Naramore	Waldrop
Carter	Easters	Reed (T)	Wynot

—19

Mrs. Wynot offered the following amendment #2 to the bill, H. 116, as amended:

Section 1 of House Bill No. 116 shall be amended by deleting the period and the parenthesis mark at the end thereof and by inserting a comma in place of the period and by adding the following words: "and that said state troopers shall be employed without regard to race, color, creed or sex)."

And the amendment was adopted.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Cross	Jones (F)	Roberts
Adams	Crowe	King	Robertson
Adwell	Culver	Kinsey	St. John
Agee	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Benton	Easters	McCorquodale	Stewart
Boles	Edwards	McDonald	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gloor	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cherner	Hale	Owens	Waldrop
Chesnut	Hardin	Parker (T)	Wallace
Collins	Harris	Perloff	Warren
Connell	Headley	Reed (T)	Weeks
Coshatt	Hill	Reid (R)	Williams
Cottingham	Jackson	Reynolds	Wynot
Crawford	Jones (E)		

—90

Nay: Mr. Gafford —1

And the bill, H. 116, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 13.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Robertson	
Adams	Crawford	Kinsey	St. John	
Adwell	Cross	Lang	Slate	
Agee	Crowe	McBride	Smith (K)	
Baker	Culver	McCluskey	Smith (P)	
Bank	Downing	McCorquodale	Snell	
Barkett	Drake	Manley	Straiton	
Bassett	Easters	Mathews	Stubbs	
Benton	Edwards	Meeks	Therrell	
Boles	Falkenburg	Merrill	Timmons	
Bowers	Gloor	Mims	Turner	
Brassell	Goodwin	Naramore	Turnham	
Burgess	Grainger	O'Daniel	Waggoner	
Callahan	Gray (F)	Owens	Waldrop	
Carnes	Grey (D)	Parker (T)	Wallace	
Carter	Hardin	Perloff	Warren	
Casey	Harris	Pruitt	Weeks	
Chesnut	Headley	Reed (T)	Williams	
Collins	Hobbie	Reid (R)	Wise	
Connell	Jackson	Reynolds	Wynot	
Coshatt	Jones (E)	Roberts		—83

Nays:

Messrs.:	Doss	Hale	Lutz	
Boutwell	Erdreich	Hill	Stewart	
Cherner	Flippo	King	Stokes	
Dill	Gafford			—13

RESOLUTION

The Following resolution was introduced:

By Mr. Robertson:

H. R. 49. MOURNING THE DEATH OF REVEREND DAVID W. LEWIS, PASTOR OF THE FIVE POINTS BAPTIST CHURCH.

WHEREAS this body is saddened to learn of the recent death of Reverend David W. Lewis, pastor of the Five Points Baptist Church in Northport; and

WHEREAS our beloved colleague Representative Edward D. (Ed) Robertson of Northport is especially grieved by the death of Reverend Lewis due to his close personal friendship and association; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, and especially Representative Edward D. (Ed) Robertson that this body extends its heartfelt sympathy to the Reverend David W. Lewis' family.

BE IT FURTHER RESOLVED, That a copy of this resolution be furnished to Representative Robertson to give to the Reverend Lewis' family.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. R. 49, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 117. To make additional appropriation to the Banking Department —Bureau of Loans.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 6.

Yeas:

Mr. Speaker	Crawford	Jackson	Reid (R)	
Adams	Cross	Jones (E)	Reynolds	
Agee	Crowe	Jones (F)	Roberts	
Bank	Culver	King	Robertson	
Barkett	Dill	Kinsey	St. John	
Bassett	Downing	Lutz	Slate	
Benton	Drake	McBride	Smith (K)	
Boles	Easters	McCluskey	Smith (P)	
Bowers	Edwards	McCorquodale	Snell	
Brassell	Erdreich	Manley	Stokes	
Burgess	Falkenburg	Mathews	Straiton	
Callahan	Flippo	May	Stubbs	
Carnes	Goodwin	Merrill	Therrell	
Carter	Grainger	Naramore	Timmons	
Casey	Gray (F)	O'Daniel	Turner	
Cauthen	Grey (D)	Owens	Turnham	
Chesnut	Hale	Parker (T)	Waggoner	
Collins	Hardin	Perloff	Wallace	
Connell	Harris	Pruitt	Williams	
Coshatt	Headley	Reed (T)	Wynot	
Cottingham	Hill			—82

Nays:

Messrs.:	Boutwell	Doss	Stewart	
Baker	Cherner	Gafford		—6

And the bill:

H. 3. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 1.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Culver	Jones (F)	Robertson
Agee	Dill	King	St. John
Baker	Doss	Kinsey	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Drake	McBride	Smith (P)
Benton	Easters	McCluskey	Snell
Boutwell	Edwards	McCorquodale	Stewart
Bowers	Erdreich	McDonald	Stokes
Brassell	Falkenburg	Manley	Straiton
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	May	Therrell
Carnes	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Gray (F)	Naramore	Turnham
Cauthen	Grey (D)	O'Daniel	Waggoner
Cherner	Hale	Parker (H)	Waldrop
Chesnut	Hardin	Parker (T)	Wallace
Collins	Harris	Perloff	Warren
Connell	Headley	Pruitt	Williams
Coshatt	Hill	Reed (T)	Wise
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

Nay: Mr. Boles —1

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Gray (F) to have his name added as co-sponsor to the bill, H. 3.

And the bill:

H. 118. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Barkett	Burgess	Cherner
Adams	Benton	Callahan	Chesnut
Adwell	Boles	Carnes	Collins
Agee	Boutwell	Carter	Connell
Baker	Bowers	Casey	Coshatt
Bank	Brassell	Cauthen	Cottingham

Crawford	Hale	May	Smith (P)	
Cross	Hardin	Merrill	Snell	
Crowe	Harris	Mims	Stewart	
Culver	Headley	Naramore	Stokes	
Dill	Hill	O'Daniel	Straiton	
Doss	Hobbie	Owens	Stubbs	
Downing	Jackson	Parker (H)	Therrell	
Drake	Jones (E)	Parker (T)	Timmons	
Easters	Jones (F)	Perloff	Turner	
Edwards	King	Pruitt	Turnham	
Erdreich	Kinsey	Reed (T)	Waggoner	
Falkenburg	Lutz	Reid (R)	Waldrop	
Flippo	McBride	Reynolds	Wallace	
Gafford	McCluskey	Roberts	Warren	
Goodwin	McCorquodale	Robertson	Williams	
Grainger	McDonald	St. John	Wise	
Gray (F)	Manley	Slate	Wynot	
Grey (D)	Mathews	Smith (K)		—95

And the bill:

H. 115. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Was taken up.

H. 115 TEMPORARILY CARRIED OVER

On motion of Mr. Lyons, the bill, H. 115, was temporarily carried over.

And the bill:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Headley
Adams	Carter	Drake	Hill
Adwell	Casey	Easters	Hobbie
Agee	Cauthen	Edwards	Jackson
Baker	Cherner	Erdreich	Jones (E)
Bank	Chesnut	Falkenburg	Jones (F)
Barkett	Collins	Flippo	King
Bassett	Coshatt	Gafford	Kinsey
Benton	Cottingham	Gloor	Lutz
Boles	Crawford	Goodwin	McBride
Boutwell	Cross	Grainger	McCluskey
Bowers	Crowe	Grey (D)	McCorquodale
Brassell	Culver	Hale	McDonald
Burgess	Dill	Hardin	Manley
Callahan	Doss	Harris	Mathews

May	Pruitt	Smith (P)	Turnham
Merrill	Reed (T)	Snell	Waggoner
Mims	Reid (R)	Stewart	Waldrop
Naramore	Reynolds	Stokes	Wallace
O'Daniel	Roberts	Straiton	Warren
Owens	Robertson	Stubbs	Williams
Parker (H)	St. John	Therrell	Wise
Parker (T)	Slate	Timmons	Wynot
Perloff	Smith (K)	Turner	—95

And the bill:

H. 119. To amend Section 5 of Act No. 1957, H. 1851, Legislature of 1971, Regular Session, approved September 20, 1971, an Act to provide for the regulation of the custom application of pesticides by aircraft and ground equipment, etc., said Section 5 thereof relating to the bond or liability insurance required by persons engaged in the custom application of pesticides.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Roberts
Adams	Crowe	Jones (F)	Robertson
Agee	Culver	King	St. John
Baker	Dill	Kinsey	Slate
Barkett	Doss	Lutz	Smith (K)
Bassett	Downing	McBride	Smith (P)
Benton	Drake	McCluskey	Snell
Boles	Easters	McCorquodale	Stewart
Boutwell	Edwards	McDonald	Stokes
Bowers	Erdreich	Manley	Straiton
Brassell	Falkenburg	May	Stubbs
Burgess	Flippo	Merrill	Therrell
Callahan	Goodwin	Mims	Timmons
Carnes	Grainger	Naramore	Turner
Carter	Gray (F)	O'Daniel	Turnham
Casey	Grey (D)	Parker (H)	Waggoner
Cauthen	Hale	Parker (T)	Waldrop
Chesnut	Hardin	Perloff	Wallace
Collins	Harris	Pruitt	Warren
Connell	Headley	Reed (T)	Williams
Coshatt	Hill	Reid (R)	Wise
Cottingham	Jackson	Reynolds	Wynot
Crawford			—89

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Harris:

S. J. R. 22 COMMENDING THE DECATUR HIGH SCHOOL FOOTBALL TEAM

Resolved that the Legislature of Alabama extends its heartiest congratulations to the Coaches and team members of the Decatur High School football team on its winning the State of Alabama 4-A classification football championship. This victory by the Red Raider football team is an eloquent testimonial to the dedication and hard work of all the coaches and team members.

Resolved further that a copy of this resolution be sent to the Superintendent of the Decatur School System and to the Principal of Decatur High School.

SENATE MESSAGE

The resolution, S. J. R. 22, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 132. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Headley	Roberts
Adams	Cottingham	Hill	Robertson
Agee	Crawford	Jones (E)	St. John
Baker	Cross	Jones (F)	Slate
Bank	Crowe	King	Smith (K)
Barkett	Culver	Kinsey	Smith (P)
Bassett	Dill	Lang	Stewart
Benton	Doss	Lutz	Stokes
Boles	Downing	McBride	Straiton
Boutwell	Drake	McCorquodale	Stubbs
Bowers	Edwards	Manley	Therrell
Brassell	Erdreich	May	Timmons
Burgess	Falkenburg	Merrill	Turner
Callahan	Flippo	Mims	Turnham
Carnes	Gafford	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cauthen	Gray (F)	Parker (T)	Warren
Cherner	Grey (D)	Pruitt	Williams
Chesnut	Hale	Reed (T)	Wise
Collins	Hardin	Reid (R)	Wynot
Connell	Harris	Reynolds	—87

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:05 P.M. on December 7, 1971:

H. J. R. 10

H. J. R. 11

H. J. R. 12

H. J. R. 13

H. J. R. 14

H. J. R. 15

H. J. R. 16

H. J. R. 17

H. J. R. 18

H. J. R. 22

H. J. R. 23

H. J. R. 24

H. J. R. 25

H. J. R. 26

H. J. R. 27

H. J. R. 28

H. J. R. 29

H. J. R. 30

H. J. R. 31

H. J. R. 32

H. J. R. 33

H. J. R. 34

H. J. R. 36

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN LOST

The motion of Mr. Parker (H) that the House adjourn until 2:00 o'clock p. m., Thursday, December 9, 1971, was lost.

Yeas 28; Nays 64.

Yeas:

Messrs.:	Culver	McBride	St. John
Bassett	Doss	Manley	Slate
Benton	Downing	Merrill	Stewart
Carter	Erdreich	Naramore	Stokes
Casey	Hardin	Parker (H)	Straiton
Cottingham	Harris	Reid (R)	Taylor
Cross	Lang	Robertson	Therrell
Crowe			

—28

Nays:

Mr. Speaker	Connell	Headley	Parker (T)
Adams	Coshatt	Hill	Pruitt
Agee	Crawford	Hobbie	Reed (T)
Baker	Dill	Jackson	Reynolds
Barkett	Drake	Jones (E)	Roberts
Boles	Easters	Jones (F)	Smith (K)
Boutwell	Edwards	King	Snell
Bowers	Falkenburg	Kinsey	Stubbs
Brassell	Flippo	Lutz	Timmons
Burgess	Gafford	McCorquodale	Turner
Callahan	Gloor	Mathews	Waggoner
Carnes	Goodwin	May	Waldrop
Cauthen	Grainger	Meeks	Wallace
Cherner	Gray (F)	Mims	Warren
Chesnut	Grey (D)	O'Daniel	Williams
Collins	Hale	Owens	Wynot

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MOTION TO ADJOURN

Mr. Perloff moved that the House adjourn until 1:30 o'clock p. m., Thursday, December 9, 1971.

The substitute motion of Mr. Grainger that the House adjourn until 2:00 o'clock p.m., Wednesday, December 8, 1971, was lost.

Yeas 28; Nays 63.

Yeas:

Mr. Speaker	Drake	King	Reynolds
Adams	Easters	Kinsey	Robertson
Carter	Flippo	Lutz	St. John
Casey	Goodwin	Manley	Slate
Cauthen	Grainger	Merrill	Timmons
Collins	Hill	Naramore	Waldrop
Cottingham	Hobbie	Reed (T)	Williams

—28

Nays:

Messrs.:	Bassett	Brassell	Chesnut
Agee	Benton	Burgess	Connell
Baker	Boles	Callahan	Coshatt
Bank	Boutwell	Carnes	Crawford
Barkett	Bowers	Cherner	Culver

Dill	Harris	Mims	Stokes
Doss	Headley	Owens	Stubbs
Downing	Jackson	Parker (H)	Taylor
Edwards	Jones (E)	Parker (T)	Therrell
Erdreich	Jones (F)	Perloff	Turner
Falkenburg	Lang	Pruitt	Waggoner
Gafford	McBride	Reid (R)	Wallace
Gray (F)	McCorquodale	Smith (K)	Warren
Grey (D)	Mathews	Smith (P)	Weeks
Hale	May	Snell	Wise
Hardin	Meeks	Stewart	Wynot

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ADJOURNMENT

The question, then, was on the motion of Mr. Perloff that the House adjourn until 1:30 o'clock p. m., Thursday, December 9, 1971, and the motion was adopted.

Yeas 49; Nays 43.

Yeas:

Messrs.:	Cottingham	Jackson	Pruitt
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	Kinsey	Robertson
Baker	Doss	Lang	St. John
Bank	Downing	McBride	Slate
Bassett	Edwards	Manley	Stokes
Benton	Falkenburg	Merrill	Straiton
Boutwell	Gafford	Mims	Taylor
Brassell	Gloor	Naramore	Therrell
Callahan	Grey (D)	Owens	Timmons
Casey	Hardin	Parker (H)	Waggoner
Connell	Harris	Perloff	Wise
Coshatt	Hobbie		

—49

Nays:

Mr. Speaker	Crawford	Hill	Smith (K)
Agee	Cross	Jones (E)	Snell
Barkett	Dill	King	Stewart
Boles	Drake	Lutz	Stubbs
Bowers	Easters	McCorquodale	Turner
Burgess	Flippo	May	Waldrop
Carnes	Goodwin	Meeks	Wallace
Carter	Grainger	O'Daniel	Warren
Cauthen	Gray (F)	Parker (T)	Williams
Cherner	Hale	Reed (T)	Wynot
Chesnut	Headley	Reynolds	

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FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, December 8, 1971

The House did not meet today.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, December 9, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Larry D. Bennett, Snowdoun United Methodist Church, Snowdoun, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (E)	Roberts
Adwell	Culver	Jones (F)	Robertson
Agee	Dill	King	St. John
Baker	Doss	Kinsey	Smith (K)
Bank	Downing	Lang	Smith (P)
Barkett	Drake	Lutz	Snell
Bassett	Easters	McBride	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McDonald	Straiton
Boutwell	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Gafford	Merrill	Turner
Carnes	Gloor	Mims	Turnham
Carter	Goodwin	Naramore	Waggoner
Casey	Grainger	Nettles	Waldrop
Cauthen	Gray (F)	O'Daniel	Wallace
Cherner	Grey (D)	Owens	Warren
Chesnut	Hale	Parker (H)	Weeks
Collins	Hardin	Parker (T)	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hearn	Pruitt	Wood
Cottingham	Hill	Reed (T)	Wynot
Crawford	Hobbie	Reid (R)	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Straiton, leave of absence was granted for Mr. Harris.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 167. To provide for the exemption from ad valorem taxation of the home of any person who is sixty-five years of age or older and who had an adjusted gross income of less than four thousand dollars for income tax purposes for the last preceding year.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 65. To amend Section 10 of Act No. 211, Regular Session 1945, approved July 7, 1945, (General Acts of Alabama 1945, p. 330), which relates to public hospitals, so as to provide an alternative form of selecting the directors of certain public hospital associations.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 40. (With Amendments) Relating to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operation of schools and solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Department of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Department of Education and providing penalties for violations.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 68. To authorize the Department of Conservation and Natural Resources to comply with Public Law 91–646, known as the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 149. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Mr. Carnes, Acting Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 94. (With Amendment): To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Mr. Carnes, Acting Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 172. To provide that any person who is qualified to vote an absentee ballot at any election held in this State because of attendance at an institution of higher learning outside of the county of his residence, or the spouse or child of such person, shall automatically be mailed an absentee ballot before each election.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 169. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled:

"To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 122. (With Substitute): To authorize the county commission of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the judicial circuit within such county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 148. To amend further the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), as amended, which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis; by revising the mode of disbursement of said funds, and making such revision retroactive.

H. 160. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such persons, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."

H. 161. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing that the county governing body may authorize the probate judge, tax assessor and tax collector to operate branch offices in the southern

portion of such county; and to provide that such offices shall remain open for the transaction of business during certain periods of the year and during certain hours of each day.

H. 171. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

S. 7. To repeal Section 10, and to amend Sections 2, 4, 9, 11, 12 and 16, of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by revising the methods of budgeting and financing of said office.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 71 (With Amendment). To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 72. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax assessor of such counties.

Mr. Downing, Vice-Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 69. To amend Act No. 545, S. 562, Acts of the Regular Session 1965 (Acts 1965, p. 795), which relates to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties, to provide further for the compensation of such commissions.

H. 145. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; to establish a procedure for the implementation and control of all future annual salary increases or decreases for the License Commissioner in such counties.

H. 159. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

The above bill was read a second time at length as required by the Constitution.

H. 174. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof, and to authorize and provide for the payment of a monthly expense allowance for such Register.

S. 59. To authorize the county governing bodies in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

S. 60. To Amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 9. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Second Judicial Circuit of Alabama.

Also:

H. 10. To regulate further the excusing of persons from jury service in the Second Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 11. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 12. Relating to the method of giving notice of the requirement of attendance of Jury service in the Second Judicial Circuit of Alabama.

Also:

H. 21. To fix the compensation of the sheriffs of all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Also:

H. 55. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Also:

H. 109. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Also:

H. 110. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 39. COMMENDING L. V. WHITEY FOR HIS LONG SERVICE TO THE UNITED STEELWORKERS OF AMERICA AND TO THE WORKING PEOPLE OF ALABAMA.

Also:

H. J. R. 41. CONGRATULATING THE ONEONTA FOOTBALL TEAM FOR BEING CROWNED CO-CHAMPIONS OF ALABAMA HIGH SCHOOL FOOTBALL FOR CLASS 2A.

Also:

H. J. R. 42. COMMENDING TERRY BEASLEY FOR AN OUTSTANDING CAREER AT AUBURN UNIVERSITY.

Also:

H. J. R. 43. COMMENDING PAT SULLIVAN FOR AN OUTSTANDING CAREER AT AUBURN UNIVERSITY.

Also:

H. J. R. 44. MOURNING THE DEATH OF THOMAS A. JONES, JR., A FORMER MEMBER OF THE ALABAMA HOUSE OF REPRESENTATIVES.

Also:

H. J. R. 45. CONGRATULATING THE DECATUR RED RAIDERS FOOTBALL TEAM FOR HAVING WON THE ALABAMA CLASS 4-A CHAMPIONSHIP FOR THE YEAR 1971.

Also:

H. J. R. 48. CONGRATULATING TARRANT CITY HIGH SCHOOL FOOTBALL TEAM FOR WINNING THE STATE CHAMPIONSHIP FOR CLASS 3-A.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Reynolds:

H. 181. To provide for the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census, and repealing Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, and other laws conflicting herewith.

Local Legislation No. 1.

By Mr. Wood (With Notice and Proof):

H. 182. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Local Legislation No. 3.

Notice and Proof H. 182:

LEGAL NOTICE
A BILL
TO BE ENACTED,
AN ACT

To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Saraland, Mobile County, Alabama, be, and the same are hereby altered, extended, and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Saraland, Alabama, and in addition thereto the following described territory, to-wit:

PARCEL ONE:

Commencing at the Northwest corner of Section 32, Township 2 South, Range 1 West: thence run Southwardly and along the West line of said Section 32, 2131.7 feet to a point on the centerline of Bayou Sara Creek and the Point of Beginning: thence Southwestwardly and along the meanderings of the centerline of said Bayou Sara Creek, 1455 feet more or less to a point: thence run Southwardly and parallel with the West line of said Section 32, 1536 feet; thence run Eastwardly and parallel with the South line of said Section 32, 720.00 feet to the Southwest corner of Lot 2, according to map of "Partition of the Estate of Appoline Alvarez," as recorded in the Office of the Judge of Probate, Mobile County, Ala., in Deed Book 87 N.S., Page 143: thence continue Eastwardly and along the South line of the said "Partition of the Estate of Appoline Alvarez," 3960 feet more or less to the point of intersection with the existing City Limits Line of the City of Saraland, Ala-

bama: thence run Northwardly and along the said existing City Limits Line, 233.2 feet to a point: said point being the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 32, thence run Westwardly and along the South line of the said Northwest Quarter, and the North ½ of the Southwest Quarter of said Section 32, and also being along the existing City Limits Line of the City of Saraland, Alabama, 3960 feet to a point of the West Line of said Section 32: thence run Northwardly and along the West line of said Section 32, and the Westerly City Limits Line of the City of Saraland, Alabama, 1832 feet to a point on the Centerline of Bayou Sara Creek and the point of beginning.

PARCEL TWO:

Commencing at the Northeast corner of Section 31, Township 2 South, Range 1 West, thence run East 10.74 feet; thence run South 2131.7 feet, more or less to a point on the centerline of Bayou Sara Creek and the Point of Beginning; thence continue South 288.1 feet, more or less, to a point; thence South 00 degrees 16 minutes West, 1777.10 feet; thence North 89 degrees 05 minutes 30 seconds West 720 feet, thence North 00 degrees 16 minutes East, 1536 feet, more or less, to a point on the centerline of Bayou Sara Creek thence run Northeastwardly and along the meanderings of the centerline of Bayou Sara Creek, 1455 feet, more or less, to the point of beginning.

Section 2. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Luis Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 10, 17, 24, and Dec. 1, all in the year 1971.

LUIS WILLIAMS.

Sworn to and subscribed before me Dec. 1, 1971.

E. E. KOCH,
Notary Public.

By Messrs. Lutz, King and Grainger:

H. 183. To amend Act No. 1878, H. 2122, Regular Session 1971, which provides for the establishment and operation of family court divisions in circuit courts of all counties having populations of not less than 175,000 nor more than 300,000, and providing for the selection and compensation of their officers, and administrative personnel, so as to provide further for the selection of the judge of said division and the compensation of his bailiff.

Local Legislation No. 4.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Brassell, Adams, Mathews, Fite, Stokes and Turnham:

H. J. R. 50. MOURNING THE DEATH OF ROBERTS HENRY BROWN

WHEREAS death has ended the long and brilliant career of Roberts Henry Brown, a prominent state attorney, age 64 and a native of Lee County; and

WHEREAS Roberts Henry Brown blessed with an almost inexhaustible supply of energy, boundless interest and a keen mind, was educated in the public schools of Dothan, graduated from San Marcos Academy, Texas, attended Culver Military Academy, Culver, Indiana, 1924, and Mercer University, 1925–27, graduated from Alabama Polytechnic Institute, 1930 and from the University of Georgia, LLB, 1935; and

WHEREAS Roberts Henry Brown entered the practice of law at Auburn, May 1, 1936, and served as recorder of the police court for several years; and

WHEREAS many honors came to Roberts Henry Brown throughout the years. He served in the legislature of 1939, and was elected for the sessions of 1943, 1947 and 1951; and

WHEREAS during the session of 1951, Roberts Henry Brown reached the esteemed area of public service when he was elected Speaker of the House of Representatives during Governor Gordon Persons' Administration; and

WHEREAS Roberts Henry Brown loved his country and served her well in time of war. He served in the Army Air Service during World War II from 1942 until June 1945; and

WHEREAS Roberts Henry Brown was truly a community builder and was a partner in the prominent law firm of Brown and McMillan; and

WHEREAS he greatly loved education and rendered valuable services to his alma mater by serving on the Board of Trustees of Auburn University; and

WHEREAS Roberts Henry Brown was a Democrat and was active in the civic affairs of his community, being a member of several organizations including the Veterans of Foreign Wars, American Legion and the Kiwanis Club. He was also a member of Sigma Nu college fraternity; and

WHEREAS Roberts Henry Brown was a deeply religious man and was a diligent member of the Presbyterian Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body are deeply grieved to learn of the passing of this eminent attorney who was never too busy to be of service to his fellowmen. Few men have ever contributed so much to their profession as did Roberts Henry Brown.

BE IT FURTHER RESOLVED, that our deepest regret and sincerest sympathy be extended to his widow, Ellen and his children and that a copy of this resolution be sent to them.

On motion of Mr. Brassell, the rules were suspended and the resolution, H. J. R. 50, was adopted.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all House members voting "Yea" on the resolution, H. J. R. 50, to have their names added as co-sponsors.

Also:

By Messrs. Crawford and Connell:

H. J. R. 51. CONGRATULATING THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM FOR BEING CROWNED CO-CHAMPIONS OF ALABAMA HIGH SCHOOL FOOTBALL FOR CLASS 2-A.

WHEREAS the Abbeville High School football team, "The Yellow Jackets," did fight its way to the lofty championship throne for class 2-A; and

WHEREAS this football team displayed an amazing defense throughout the season but this was never so evident as during its state championship game wherein the opposing team controlled the ball for ten minutes but could never cross the Yellow Jackets goal line; and

WHEREAS this football team enters the treasured throne room with dedication and determination; and

WHEREAS Head Coach David Barnes, as he has all year, provided unique leadership to an outstanding group of boys as they marched to the height of Mount Everest; and

WHEREAS this legislature is proud of this football team, for the image of Alabama is so ingrained on the heritage of its outstanding high school football program; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature offers its proud congratulations to the Abbeville High School football team for being honored with the co-championship of Alabama High School football for Class 2-A in the season of 1971.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the football team, Head Coach David Barnes, the assistant coaches and Principal Gordon Holmes of Abbeville High School.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 51, on the Clerk's desk for one legislative day.

Also:

By Messrs. Robertson, Parker (T), Culver and Bank:

H. J. R. 52. MOURNING THE DEATH OF REVEREND DAVID W. LEWIS, PASTOR OF THE FIVE POINTS BAPTIST CHURCH, NORTHPORT, ALABAMA.

WHEREAS this legislature is deeply grieved to learn of the death of Reverend David W. Lewis, pastor of the Five Points Baptist Church; and

WHEREAS the Reverend David W. Lewis had served the Five Points Baptist Church as pastor for twenty-one years; and

WHEREAS the Reverend David W. Lewis stood firm and gave unselfishly of life and commitment in the spiritual growth of mankind; and

WHEREAS the Reverend David W. Lewis stood as a constant witness —by thought, word and deed—to a living reality of a redemptive God for all men; and

WHEREAS the Reverend Lewis served his country well in time of war and was a member of the 102nd Infantry Division during World War II; and

WHEREAS the Reverend Lewis was active in the business affairs of his community and had formerly worked with the Veterans Administration and the Alabama Gas Corporation; and

WHEREAS the Reverend Lewis was licensed to preach in 1948 and was ordained when he was called as pastor of the fledgling Five Points Baptist Church which had been constituted the year before; and

WHEREAS the Reverend Lewis completed his education through the Howard College Seminary Extension Program; and

WHEREAS the Reverend Lewis was active in the civic affairs of his community and was a member of the J. Collier Foster Masonic Lodge, the Woodmen of the World and the American Legion; and

WHEREAS the Reverend Lewis displayed a leadership which was not always limited to his place of worship, but found a place importantly in the homes of the citizens of his community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature mourns the death of the Reverend David W. Lewis and extends its deepest sympathy to his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to his wife, Elizabeth; his son, Reverend David S. Lewis; his daughter, Mrs. James Otis Shirley; his mother, Mrs. Will Lewis, and the Five Points Baptist Church of Northport.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. J. R. 52, was adopted.

BILLS ON THIRD READING

And the bill:

H. 14. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the county commissioners elected in each such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Collins
Adams	Benton	Carnes	Connell
Bank	Boutwell	Carter	Coshatt
Barkett	Brassell	Cherner	Cottingham

Crawford	Hardin	May	St. John
Crowe	Headley	Merrill	Smith (P)
Culver	Hill	Mims	Stokes
Doss	Hobbie	Naramore	Straiton
Downing	King	Nettles	Stubbs
Easters	Kinsey	O'Daniel	Therrell
Edwards	Lang	Owens	Timmons
Ellis	Lutz	Parker (H)	Waggoner
Falkenburg	McBride	Parker (T)	Warren
Goodwin	McCluskey	Perloff	Wise
Grainger	Manley	Reid (R)	Wood
Gray (F)	Mathews	Reynolds	Wynot
Grey (D)			

—65

And the bill:

H. 104. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Parker (T)
Adams	Doss	Kinsey	Perloff
Bank	Downing	Lang	Reid (R)
Barkett	Easters	Lutz	Reynolds
Bassett	Edwards	McBride	Robertson
Benton	Ellis	McCluskey	St. John
Boutwell	Erdreich	Manley	Smith (P)
Brassell	Falkenburg	Mathews	Stokes
Callahan	Gloor	May	Stubbs
Carnes	Goodwin	Merrill	Therrell
Carter	Grainger	Mims	Timmons
Cherner	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot
Crowe	Hobbie		

—66

And the bill:

H. 112. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Was taken up.

Mr. Robertson offered the following amendment to the bill: To provide that such deputies shall be hired without discrimination due to race, color, creed or sex.

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Reed (T)
Adams	Doss	Lang	Reid (R)
Bank	Downing	Lutz	Reynolds
Barkett	Easters	McBride	Robertson
Bassett	Edwards	McCluskey	St. John
Benton	Ellis	Manley	Smith (P)
Boutwell	Erdreich	Mathews	Stokes
Brassell	Falkenburg	May	Straiton
Callahan	Goodwin	Merrill	Stubbs
Carnes	Grainger	Mims	Therrell
Carter	Gray (F)	Naramore	Timmons
Cherner	Grey (D)	Nettles	Waggoner
Connell	Hardin	O'Daniel	Warren
Coshatt	Headley	Owens	Wise
Cottingham	Hill	Parker (H)	Wood
Crawford	Hobbie	Parker (T)	Wynot
Crowe	King	Perloff	

—67

And the bill, H. 112, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (H)
Adams	Culver	King	Parker (T)
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Robertson
Bassett	Easters	Lutz	St. John
Benton	Edwards	McBride	Smith (P)
Boutwell	Ellis	McCluskey	Stokes
Brassell	Erdreich	Manley	Straiton
Callahan	Falkenburg	Mathews	Stubbs
Carnes	Goodwin	May	Therrell
Carter	Grainger	Merrill	Timmons
Cherner	Gray (F)	Mims	Waggoner
Connell	Grey (D)	Naramore	Warren
Coshatt	Hardin	Nettles	Wise
Cottingham	Headley	O'Daniel	Wood
Crawford	Hill	Owens	Wynot

—64

And the bill:

H. 123. To authorize the district attorney having jurisdiction in any county in the State of Alabama with a population of not less than 42,000 nor more than 49,500 to appoint an investigator or investigators and to prescribe their duties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Mr. Speaker	Bassett	Callahan	Collins
Adams	Benton	Carnes	Connell
Bank	Boutwell	Carter	Coshatt
Barkett	Brassell	Cherner	Cottingham

Crawford	Gray (F)	Mathews	Robertson
Crowe	Grey (D)	May	St. John
Culver	Hardin	Merrill	Smith (P)
Doss	Headley	Mims	Stokes
Downing	Hill	Naramore	Straiton
Easters	Hobbie	Nettles	Stubbs
Edwards	King	O'Daniel	Therrell
Ellis	Kinsey	Owens	Timmons
Erdreich	Lang	Parker (H)	Waggoner
Falkenburg	Lutz	Parker (T)	Warren
Gloor	McBride	Perloff	Wise
Goodwin	McCluskey	Reid (R)	Wood
Grainger	Manley	Reynolds	Wynot

—68

And the bill:

H. 140. To amend Act No. 1695, H. 2263, approved September 17, 1971, which relates to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the most recent federal decennial census, and creates a civil service board in said counties to assure the more efficient operation of the sheriff's department; amending such bill in relation to the work load of uniformed deputy sheriffs.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

H. 151. Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Was taken up.

Mr. St. John offered the following amendment to the bill:

The title to H. 151 is hereby amended by changing the period at the end thereof to a semi-colon and inserting the following words thereafter:

And providing that provisions of this Act shall have retroactive effect to September 1, 1971.

Section 4 of said H. 151 is deleted in its entirety and the following is substituted in lieu thereof:

Section 4. The provisions of this Act shall have retroactive effect to September 1, 1971.

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill, H. 151, as thus amended:

Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Connell	Gloor	McBride
Adams	Coshatt	Goodwin	McCluskey
Bank	Cottingham	Grainger	Manley
Barkett	Crawford	Gray (F)	Mathews
Bassett	Crowe	Grey (D)	May
Benton	Culver	Hardin	Merrill
Boutwell	Doss	Headley	Mims
Brassell	Downing	Hill	Naramore
Callahan	Easters	Hobbie	Nettles
Carnes	Edwards	King	O'Daniel
Carter	Ellis	Kinsey	Owens
Cherner	Erdreich	Lang	Parker (H)
Collins	Falkenburg	Lutz	Parker (T)

Perloff	St. John	Stubbs	Warren
Reid (R)	Smith (P)	Therrell	Wise
Reynolds	Stokes	Timmons	Wood
Robertson	Straiton	Waggoner	Wynot

—68

And the bill:

H. 152. To amend Section 35 of Act No. 30, approved May 31, 1963, Relating to The Official Court Reporter For The County Court of Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

H. 153. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-second Judicial Circuit of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Connell	Gloor	McBride
Adams	Coshatt	Goodwin	McCluskey
Bank	Cottingham	Grainger	Manley
Barkett	Crawford	Gray (F)	Mathews
Bassett	Crowe	Grey (D)	May
Benton	Culver	Hardin	Merrill
Boutwell	Doss	Headley	Mims
Brassell	Downing	Hill	Naramore
Callahan	Easters	Hobbie	Nettles
Carnes	Edwards	King	O'Daniel
Carter	Ellis	Kinsey	Owens
Cherner	Erdreich	Lang	Parker (H)
Collins	Falkenburg	Lutz	Parker (T)

Perloff	St. John	Stubbs	Warren
Reid (R)	Smith (P)	Therrell	Wise
Reynolds	Stokes	Timmons	Wood
Robertson	Straiton	Waggoner	Wynot

—68

And the bill:

H. 154. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the thirty-second judicial circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

H. 155. Relating to judicial procedure in the Thirty-second judicial circuit; regulating and providing further for the separation of the jury by consent in capital or noncapital felony cases in such circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collins	Erdreich	Kinsey
Adams	Connell	Falkenburg	Lang
Bank	Coshatt	Gloor	Lutz
Barkett	Cottingham	Goodwin	McBride
Bassett	Crawford	Grainger	McCluskey
Benton	Crowe	Gray (F)	Manley
Boutwell	Culver	Grey (D)	Mathews
Brassell	Doss	Hardin	May
Callahan	Downing	Headley	Merrill
Carnes	Easters	Hill	Mims
Carter	Edwards	Hobbie	Naramore
Cherner	Ellis	King	Nettles

O'Daniel	Reid (R)	Stokes	Waggoner
Owens	Reynolds	Straiton	Warren
Parker (H)	Robertson	Stubbs	Wise
Parker (T)	St. John	Therrell	Wood
Perloff	Smith (P)	Timmons	Wynot

—68

And the bill:

H. 156. To abolish the drawing of special venires in capital cases in the Thirty-second Judicial Circuit of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

H. 158. Relating to counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; to authorize the county governing bodies of such counties to appropriate $675.00 each for the relief of J. W. Messer, Sr., J. M. Noles, and Doug Allen.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Grey (D)
Adams	Cherner	Easters	Hardin
Bank	Collins	Edwards	Headley
Barkett	Connell	Ellis	Hill
Bassett	Coshatt	Erdreich	Hobbie
Benton	Cottingham	Falkenburg	King
Boutwell	Crawford	Gloor	Kinsey
Brassell	Crowe	Goodwin	Lang
Callahan	Culver	Grainger	Lutz
Carnes	Doss	Gray (F)	McBride

McCluskey	Nettles	Reynolds	Therrell
Manley	O'Daniel	Robertson	Timmons
Mathews	Owens	St. John	Waggoner
May	Parker (H)	Smith (P)	Warren
Merrill	Parker (T)	Stokes	Wise
Mims	Perloff	Straiton	Wood
Naramore	Reid (R)	Stubbs	Wynot

—68

And the bill:

S. 3. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

Was taken up.

S. 5 POSTPONED

On motion of Mr. Lyons, the bill, S. 5, was postponed to the Seventh Legislative Day.

And the bill:

S. 23. To authorize county solid waste and park and recreation authorities in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to pay to the county health officer or his administrative assistant a monthly expense allowance.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 38. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of ree counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 39. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state com-

posed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 57. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 58. To allow prospective jurors to be excused in capital cases out-

side the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 69. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 12 deputy sheriffs, and require one chief and two deputy jailors, and to prescribe the compensation of such deputies and jailors.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 70. Relating to counties having a population of not less than 57,000

nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax collector of such counties.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 73. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the Judge of Probate of such counties.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 74. Relating to counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance to the coroner of said counties in the amount of $75.00 per month.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill:

S. 75. To provide for the reinstatement of certain persons holding permanent appointments in the classified service of the City of Dothan after having left such classified service to serve as heads of a department of government of such city or county with all their former status and rights pertaining thereto.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Parker (T)
Adams	Culver	King	Perloff
Bank	Doss	Kinsey	Reid (R)
Barkett	Downing	Lang	Reynolds
Bassett	Easters	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Mathews	Straiton
Carnes	Gloor	May	Stubbs
Carter	Goodwin	Merrill	Therrell
Cherner	Grainger	Mims	Timmons
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Nettles	Warren
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Headley	Owens	Wood
Crawford	Hill	Parker (H)	Wynot

—68

And the bill, H. 82 with pending amendment, having been postponed from the Fourth Legislative Day:

To authorize and direct the State of Alabama to pay from the revenue received from the State Sales and Use Tax and into the General Fund of each County which has a population in excess of five hundred thousand (500,000) according to the last or any subsequent federal census, an amount equal to two percent (2%) of the face value of the food stamps issued in each such County under the United States Food Stamp Program.

Was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82 with pending amendment, was postponed to the Seventh Legislative Day.

And the bill, H. 67, having been postponed from the Fourth Legislative Day:

To prohibit the spraying or dusting of any poisonous substance of chemical that is injurious to the health or well-being of wildlife, plant life, of aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft; to provide penalties for the violation of the provisions of this Act.

Was taken up.

H. 67 POSTPONED

No objection being offered, the bill, H. 67, was postponed to the Seventh Legislative Day.

And the bill, H. 81, having been temporarily carried over on the Fourth Legislative Day:

To amend Section 2, subsection III. A (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund, so as to provide for the expenditure of funds for salaries, other expenses, equipment purchases, and for clinician and radiologist fees for tuberculosis and chronic lung disorders treatment.

Was taken up.

Mr. Grainger offered the following substitute for the bill:

SYNOPSIS

This substitute bill will delete the provisions for salaries, other expenses, equipment purchases, and for clinician and radiologist fees and will provide further for operation under the provisions of Act 1911 of the 1971 Regular Session of the Legislature.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State Gen-

eral Fund for the payment of subsidies for the Tuberculosis and Chronic Lung Disorders treatment.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, is amended to read as follows:

"(m) For Tuberculosis and Chronic Lung Disorders Treatment: For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State in accordance with provisions of Act 1911 of the 1971 Regular Session of the Legislature:

For the fiscal year ending September 30, 1972 ..... 3,105,687.00

For the fiscal year ending September 30, 1973 ..... 3,097,531.00

Section 2. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reid (R)
Adams	Culver	King	Reynolds
Bank	Doss	Kinsey	Robertson
Barkett	Downing	Lutz	St. John
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Stewart
Boutwell	Ellis	Manley	Straiton
Brassell	Erdreich	Mathews	Stubbs
Callahan	Falkenburg	May	Therrell
Carnes	Goodwin	Mims	Timmons
Carter	Grainger	Naramore	Waggoner
Cherner	Gray (F)	Nettles	Warren
Collins	Grey (D)	Owens	Wise
Connell	Hardin	Parker (H)	Wood
Coshatt	Headley	Perloff	Wynot
Cottingham	Hill		—62

And the bill, H. 81, as thus amended:

To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund for the payment of subsidies for the Tuberculosis and Chronic Lung Disorders treatment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boutwell	Cherner	Culver
Bank	Brassell	Connell	Doss
Barkett	Callahan	Coshatt	Downing
Bassett	Carnes	Cottingham	Easters

Edwards	King	Owens	Stokes
Ellis	Kinsey	Parker (H)	Straiton
Erdreich	Lutz	Parker (T)	Stubbs
Falkenburg	McBride	Perloff	Therrell
Goodwin	McCluskey	Reid (R)	Timmons
Grainger	Manley	Reynolds	Waggoner
Gray (F)	Mathews	Robertson	Warren
Hardin	May	St. John	Wise
Headley	Mims	Smith (P)	Wood
Hill	Naramore	Stewart	Wynot
Hobbie	Nettles		

—62

And the bill, H. 115, having been temporarily carried over on the Fourth Legislative Day:

To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Was taken up.

H. 115 POSTPONED

No objection being offered, the bill, H. 115, was postponed to the Seventh Legislative Day.

And the bill:

H. 1. (With Substitute): To amend Act No. 74, Acts of Alabama, Special Session 1961 approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

SYNOPSIS

This bill amends Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961 (Section 9(2-8) of Title 13), which provides for a Judicial Conference. The purpose of this amendatory bill is to provide that a Judge of the Court of Criminal Appeals and that a Judge of the Court of Civil Appeals be made members of the Judicial Conference; to allow the Judicial Conference to co-operate with and become a part of the Permanent Study Commission on Alabama's Judicial System; to provide for the obtaining of statistics from court officials; to allow for the use of funds appropriated for the Judicial Conference and consultant study to be used by the Permanent Study Commission on Alabama's Judicial System; and to provide for the membership of the Judicial Conference, their duties and terms of office.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State

of Alabama; to prescribe the membership thereof, their duties and terms of office.

Be It Enacted by the Legislature of Alabama:

Section A. Act No. 74, Acts of Alabama, Sp. Sess. 1961, approved September 15, 1961, be and the same is amended to read as follows:

"Section 1. A judicial conference for the State of Alabama is hereby created; which shall consist of the Chief Justice of the Supreme Court of Alabama and two associate justices of such court, designated by the chief justice; a member of the Court of Criminal Appeals, designated by the presiding judge of that court; a member of the Court of Civil Appeals, designated by the presiding judge of that court; three circuit judges of the state, designated by the President of the Association of Circuit Judges; and three lawyers who are members in good standing of the Alabama State Bar, designated by the President of the Alabama State Bar.

"Section 2. The Chief Justice of the Supreme Court, the associate justices of such court, and the Judges of the Court of Criminal Appeals and the Court of Civil Appeals shall serve as members of such conference until their designations are changed. The first circuit judges and lawyers shall be appointed, one for a term of one year, one for a term of two years, and one for a term of three years. Thereafter, their successors shall be appointed for terms of three years.

Section 3. Vacancies in the membership or the conference shall be filled for the remainder of any term in the same manner as the original appointment was made.

"Section 4. Within thirty days after the approval of this Act, the conference hereby established shall meet upon the call of the Chief Justice of the Supreme Court, who shall be the chairman of said conference. Thereafter such conference shall meet at least annually but shall meet at such other times as, in the opinion of the Chief Justice such meetings are needed, upon the call of the Chief Justice. The Chief Justice shall have the right, if he deems it advisable, to appoint and dismiss a secretary and other officials and employees, including consultants and consulting agencies, without regard to the provisions of the merit system, for the Judicial Conference who shall perform such other duties as directed by the Chief Justice with the Supreme Court, Permanent Study Commission on Alabama's Judicial System, and the Department of Court Management, and who shall be paid, in full or in part, such compensation or salaries as the Chief Justice may direct, from any funds appropriated to the Supreme Court, the Permanent Study Commission on Alabama's Judicial System, the Department of Court Management or any grant funds awarded or given to the Permanent Study Commission on Alabama's Judicial System, the Judicial Conference, the Department of Court Management, and the Supreme Court in accordance with the direction of the Chief Justice.

"Section 5. It is the duty of the judicial conference:

"(1) To make a continuous study of the administration of justice in this state and of the organization, procedure, practice, rules and methods of administration and operation of each and all of the courts of the state.

"(2) To receive and consider and in its discretion investigate criticisms and suggestions pertaining to the administration of justice in the state.

"(3) To prepare for presentation to the legislature and at each regular session thereof a report of the proceedings of the conference and its recommendations relative to improving the administration of justice in Alabama, and particularly of expediting the business of the courts and utilizing in the most appropriate manner the judges of the circuit courts of the state. The conference shall also recommend such changes or additions to the rules of practice of the trial and appellate courts of the state as in their judgment are needed to the legislature and the Supreme Court.

"(4) To cooperate with and become a part of the Permanent Study Commission on Alabama's Judicial System.

"Section 6. The Chief Justice of the Supreme Court is authorized and empowered to obtain from court officials, including clerks, registers, judges, and court reporters, statistics, data and other factual information which he may deem advisable pertaining to the courts, the work of such court officials and any other phase of the work of such officials pertaining to the administration of justice or the operation of the courts or their offices, at such times as he may deem advisable. For the failure of any court official to furnish such information as may be requested from said court official by the Chief Justice such court official shall forseit one hundred dollars to the State to be recovered on motion by the solicitor or district attorney of any court of record of the county in which the court official resides, in the name of the State; such court official to have three days' notice of such motion. The Chief Justice is further authorized and empowered to prepare forms for such court officials to fill out and submit to him in accordance with his direction. The statistics, data and other factual information submitted to and compiled by the Chief Justice shall be made available by the Chief Justice to all members of the conference for their use in carrying out the duties imposed upon them by this Act.

"Section 7. The chief justice, justices, judges, lawyer members, officials and employees attending meetings or traveling on official business of the conference, or of the Permanent Study Commission on Alabama's Judicial System, at the direction of the chief justice, within or outside of the state, may be reimbursed their actual and necessary expenses, including travel, lodging, food, and other expenses, including registration fees and membership fees. Such expenses hereby authorized shall be paid, in full or in part, from any funds in the state treasury appropriated to the Permanent Study Commission on Alabama's Judicial System, the Judicial Conference, the Supreme Court of Alabama, circuit judges' travel, supernumerary circuit judges' travel, and/or to grant funds, as directed by the chief justice, upon claims therefor approved by the chief justice. Any other expenses of the conference, including printing, postage and mailing expenses, may be charged by the Chief Justice to the Supreme Court Library Fund, the Permanent Study Commission on Alabama's Judicial System, the Judicial Conference and grant funds, in accordance with the direction of the Chief Justice.

"Section 8. In connection with any of the duties and work of the Judicial Conference, including the study of the courts of the State, the Chief Justice is authorized and empowered to direct that any funds appropriated for consultant study or similar purposes to the Supreme Court, and any funds appropriated for the Judicial Conference may be used in connection with studies and other work of the Permanent Study Commission on Alabama's Judicial System, the Judicial Conference and/or the Department of Court Management, in whole or in part. The Chief Justice is further authorized and em-

powered to apply for grants and other assistance to any public or any private entity and to take any and all necessary steps and actions pertaining to the same in connection with the duties and work of the Judicial Conference.

Section B. All laws or parts of laws which conflict with this Act are repealed.

Section C. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section D. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reid (R)
Adams	Culver	King	Reynolds
Bank	Doss	Lutz	Robertson
Barkett	Downing	McBride	St. John
Bassett	Easters	McCluskey	Smith (P)
Benton	Edwards	Manley	Stewart
Boutwell	Ellis	Mathews	Stokes
Brassell	Erdreich	May	Straiton
Callahan	Falkenburg	Merrill	Stubbs
Carnes	Gloor	Mims	Therrell
Carter	Goodwin	Naramore	Timmons
Cherner	Grainger	Nettles	Waggoner
Collins	Gray (F)	Owens	Warren
Connell	Grey (D)	Parker (H)	Wise
Coshatt	Hardin	Parker (T)	Wood
Cottingham	Headley	Perloff	Wynot
Crawford	Hill		—66

And the bill, H. 1, as thus amended:

To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hill
Adams	Cherner	Ellis	Hobbie
Bank	Connell	Erdreich	King
Barkett	Cottingham	Falkenburg	Lutz
Bassett	Crawford	Goodwin	McBride
Benton	Crowe	Grainger	McCluskey
Boutwell	Culver	Gray (F)	Manley
Brassell	Doss	Grey (D)	Mathews
Callahan	Downing	Hardin	May
Carnes	Easters	Headley	Merrill

Mims	Perloff	Stewart	Timmons
Naramore	Reid (R)	Stokes	Warren
Nettles	Reynolds	Straiton	Wise
Owens	Robertson	Stubbs	Wood
Parker (H)	St. John	Therrell	Wynot
Parker (T)	Smith (P)		—62

And the bill:

S. 4. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Perloff
Adams	Downing	Kinsey	Reid (R)
Barkett	Easters	Lutz	Reynolds
Bassett	Edwards	McBride	St. John
Benton	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	Manley	Stewart
Brassell	Falkenburg	Mathews	Stokes
Callahan	Gloor	May	Straiton
Carnes	Goodwin	Merrill	Stubbs
Carter	Grainger	Mims	Therrell
Cherner	Gray (F)	Naramore	Timmons
Connell	Grey (D)	Nettles	Waggoner
Coshatt	Hardin	O'Daniel	Warren
Cottingham	Headley	Owens	Wise
Crawford	Hill	Parker (H)	Wood
Crowe	Hobbie	Parker (T)	Wynot
Culver			—65

And the bill:

H. 157 (With Amendment). To amend Act No. 96, H. 17 of the Special Session of 1971, which raises revenue and for such purpose levies a privilege or license tax against persons on account of engaging in the business of leasing or renting tangible personal property, approved May 11, 1971, so as to provide that the department of revenue may authorize and provide for the payment of such tax quarterly instead of on a monthly basis.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1 paragraph 2 by deleting paragraph 2 in its entirety and substituting the following:

"The tax imposed by this act shall be due and payable to the department quarterly on or before the twentieth day of the month next succeeding each quarterly period provided however the department, if it deems it necessary in order to insure payment to the state of the amount of the tax herein required, may require returns and payment of such amount of tax for other than quarterly periods."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Parker (H)
Adams	Doss	King	Parker (T)
Bank	Downing	Kinsey	Reid (R)
Barkett	Easters	Lutz	Reynolds
Bassett	Edwards	McBride	St. John
Benton	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	Manley	Stokes
Brassell	Falkenburg	Mathews	Straiton
Callahan	Goodwin	May	Stubbs
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Waggoner
Cherner	Grey (D)	Naramore	Warren
Connell	Hardin	Nettles	Wise
Coshatt	Headley	O'Daniel	Wood
Cottingham	Hill	Owens	Wynot
Crowe			

—61

And the bill, H. 157, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Reed (T)
Adams	Doss	Lutz	Reid (R)
Bank	Downing	McBride	Reynolds
Barkett	Easters	McCluskey	Robertson
Bassett	Edwards	Manley	St. John
Benton	Ellis	Mathews	Smith (P)
Boutwell	Erdreich	May	Stewart
Brassell	Falkenburg	Merrill	Stokes
Callahan	Goodwin	Mims	Straiton
Carnes	Grainger	Naramore	Stubbs
Carter	Gray (F)	Nettles	Timmons
Cherner	Grey (D)	O'Daniel	Waggoner
Connell	Hardin	Owens	Warren
Coshatt	Headley	Parker (H)	Wise
Cottingham	Hill	Parker (T)	Wood
Crawford	Hobbie	Perloff	Wynot
Crowe	King		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dominick, Bailes, Vacca, Gilmore, King and Cook:

SYNOPSIS: This resolution calls upon the Jefferson County Transit Authority to make a long range study of the public transportation needs and to report such to the 1973 Legislature.

SENATE JOINT RESOLUTION

S. J. R. 6. WHEREAS, the Legislature of Alabama has found that the constant growth of vehicular traffic in large counties is placing excessive burdens upon local government; and that provision should be made for the establishment of public corporations to furnish public transportation services; and

WHEREAS, the Legislature has declared in Act No. 993 adopted at the 1971 Regular Session of the Legislature its intention to promote public mass transportation through public corporations; and

WHEREAS, the appropriate bodies in Jefferson County have taken steps to create such a public body and inaugurate public transit operations; and

WHEREAS, the first task of the Jefferson County Transit Authority will be to acquire and operate the private bus systems currently serving the Birmingham urban area; and

WHEREAS, such action, while vital to the well being and functioning of the Birmingham community, can only be considered a first step and a short term approach toward the solution of a problem that demands a broad framework and a long term approach;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Jefferson County Transit Authority be hereby directed to carry out the full intent of the Legislature by initiating a study of long range public transportation needs and potentials; that in carrying out the study it enlist the active participation of the Birmingham Regional Planning Commission so that the public transportation needs of State Planning and Development District No. 3 can be fully considered and incorporated; and that adequate provisions be made for participation in the study by a representative cross section of Community interests and citizens.

BE IT FURTHER RESOLVED, that said Authority is hereby directed to transmit to the Legislature a report of its long range studies by the fifth legislative day of the 1973 Regular Session of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 6, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. J. R. 53. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the House adjourns today it adjourns to meet again on Tuesday, December 14, 1971.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 53, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 39. Commending L. V. Whitey for his long service to the United Steelworkers of America and to the working people of Alabama.

Also:

H. J. R. 41. Congratulating the Oneonta Football Team for being crowned co-champions of Alabama High School Football for Class 2A.

Also:

H. J. R. 42. Commending Terry Beasley for an outstanding career at Auburn University.

Also:

H. J. R. 43. Commending Pat Sullivan for an outstanding career at Auburn University.

Also:

H. J. R. 44. Mourning the death of Honorable Thomas A. Jones, Jr., former member of the House of Representatives.

Also:

H. J. R. 45. Congratulating and commending the Decatur High School Red Raiders football team and coaching staff.

Also:

H. J. R. 48. Congratulating Tarrant City High School Football Team for winning the State Championship for Class 3–A.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Second Judicial Circuit of Alabama.

Also:

H. 10. To regulate further the excusing of persons from jury service in the Second Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 11. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 12. Relating to the method of giving notice of the requirement of attendance of Jury service in the Second Judicial Circuit of Alabama.

Also:

H. 21. To fix the compensation of the sheriffs of all counties having populations of not less than 52,500 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Also:

H. 55. Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this act retroactive.

Also:

H. 109. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Also:

H. 110. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris (with substitute):

S. 1. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 1. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Foshee:

S. 51. Relating to any county having a population of not less than 34,000 nor more than 34,800; to abolish the fine and forfeiture fund of such county; to provide for the payment of certain fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Also:

By Mr. Harris:

S. 53. To amend Section 2 and to repeal Sections 3, 4, 6, and 7 of Act

No. 1912, H. 2045, Regular Session 1971, which act provided salaries and clerical assistance for certain officers of counties having a population of not less than 39,500 nor more than 41,750, and to make the amendment retroactive to October 1, 1971.

Also:

By Mr. Harris:

S. 54. To amend Act No. 439, S. 731, Regular Session 1971, approved August 26, 1971, which act provides for the operating expenses of certain county officers, in counties having a population of not less than 39,500, nor more than 41,750, by providing said expenses for the circuit clerk in such counties, retroactive to October 1, 1971.

Also:

By Mr. Clark:

S. 95. Relating to counties having a population of not less than 22,250 nor more than 23,000, according to the last or any subsequent federal decennial census; providing an expense allowance for the probate judge of such county.

McDOWELL LEE,
Secy.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 51. Standing Committee on Local Legislation No. 1.

S. 53. Standing Committee on Local Legislation No. 1.

S. 54. Standing Committee on Local Legislation No. 1.

S. 95. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilder:

S. 94. In relation to the regulation of facilities for child care, repealing Title 49, sections 62–100, as amended.

McDOWELL LEE,
Secy.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 94. Standing Committee on Health.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:40 P.M. On December 9, 1971.

H. 9

H. 10

H. 11

H. 12

H. 21

H. 55

H. 109

H. 110

H. J. R. 39

H. J. R. 41

H. J. R. 42

H. J. R. 43

H. J. R. 44

H. J. R. 45

H. J. R. 48

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Gloor, the House, in accordance with H. J. R. 53, heretofore adopted, adjourned until 4:00 o'clock p. m., Tuesday, December 14, 1971.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker	Callahan	Doss	Fite
Adams	Carter	Downing	Gloor
Bank	Connell	Easters	Goodwin
Barkett	Coshatt	Edwards	Grainger
Bassett	Cottingham	Ellis	Grey (D)
Boutwell	Crowe	Erdreich	Hardin
Brassell	Culver	Falkenburg	Headley

Hill	Mathews	Parker (H)	Stubbs
King	May	Parker (T)	Timmons
Kinsey	Merrill	Reid (R)	Waggoner
Lang	Mims	Reynolds	Warren
Lutz	Naramore	St. John	Wise
McBride	Nettles	Smith (P)	Wood
McCluskey	O'Daniel	Stokes	Wynot
Manley	Owens	Straiton	

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Nay: Mr. Carnes —1

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, December 14, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Karl Stringfellow, Pastor, Normandale United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (E)	Reynolds
Adwell	Culver	Jones (F)	Roberts
Agee	Dill	King	Robertson
Baker	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Straiton
Brassell	Fite	Mathews	Stubbs
Burgess	Flippo	May	Taylor
Callahan	Gafford	Meeks	Therrell
Carnes	Gloor	Merrill	Timmons
Carter	Goodwin	Mims	Turner
Casey	Grainger	Naramore	Turnham
Cauthen	Gray (F)	Nettles	Waggoner
Cherner	Grey (D)	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Collins	Harris	Parker (H)	Warren
Connell	Headley	Parker (T)	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. King, leave of absence was granted for Mr. Hale, due to visiting outside the state.

LEAVE OF ABSENCE

On motion of Mr. Carnes, leave of absence was granted for Mrs. Wynot, due to illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. Relative to adjournment of the two Houses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 53, said Senate amendment being as follows:

Senate Amendment to H. J. R. 53.

Amend H. J. R. 53 as follows:

Delete "House of Representatives" and substitute "Alabama Legislature".

Delete "Senate" and substitute "both Houses thereof".

Insert "and Senate" between the words "House" and "adjourn".

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered

same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 1. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 108. (With Amendment): To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 181. To provide for the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census, and repealing Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, and other laws conflicting herewith.

S. 36. Relating to counties having a population of not less than 24,000 nor more than 24,800 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each tertory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

S. 53. To amend Section 2 and to repeal Sections 3, 4, 6, and 7 of Act No. 1912, H. 2045, Regular Session 1971, which act provided salaries and clerical assistance for certain officers of counties having a population of not less than 39,500 nor more than 41,750, and to make the amendment retroactive to October 1, 1971.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 54. (With Amendment): To amend Act No. 439, S. 731, Regular Session 1971, approved August 26, 1971, which act provides for the operating expenses of certain county officers, in counties having a population of not less 39,500, nor more than 41,750, by providing said expenses for the circuit clerk in such counties, retroactive to October 1, 1971.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 183. To amend Act No. 1878, H. 2122, Regular Session 1971, which provides for the establishment and operation of family court divisions in circuit courts of all counties having populations of not less than 175,000 nor more than 300,000, and providing for the selection and compensation of their officers, and administrative personnel, so as to provide further for the selection of the judge of said division and the compensation of his bailiff.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 53. To authorize any county having a population of 600,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the county suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, any city located in the county, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such county may be joint lessee with any other municipality in such county and that the obligations of any such county may be individual and separate or joint and several, to provide that the obligation of any such county under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such county under any such lease or contract in the budget of such county and that any such county shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, to provide that the approval of such lease or contract of lease by the governing body of any such county shall be sufficient and that no other approval, registration, audit or allowance shall be required, and to exempt any such contract or lease from all taxation, from the provisions of Chapter 6 of Title 12 of the Code of Alabama of 1940, as amended, and all other provisions of law with respect thereto.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 54. COMMENDING DAVID BEVERLY FOR MAKING THE ALL SOUTHEASTERN CONFERENCE TEAM.

WHEREAS David Beverely, an Auburn University junior from Sweet Water, Alabama, was selected a member of the All Southeastern Conference Team for his great punting ability; and

WHEREAS David Beverly displayed unique and rare talent in exhibiting the "coffin corner" kick and had numerous kicks downed inside the opponents 10 yard line; and

WHEREAS David Beverely aimed his booming punts so high into the universe that the opponents were able to attempt very few punt returns and his high kicks allowed his team mates to sprint downfield and engulf the attempted returner; and

WHEREAS in the season of 1971, David Beverly had an astounding average of 40.1 yards per kick for 1,926 yards on 48 kicks in 10 games; and

WHEREAS in recognition of his tremendous kicking talent David Beverly brought many "oh's and ah's" from admiring "War Eagle" fans throughout the Southeast; and

WHEREAS David Beverly is not only an outstanding football kicker but is a conscientious and dedicated young man who has reflected credit to his school and to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it offers its proud congratulations to David Beverly for his esteemed achievement of being named to the All Southeastern Conference Team as a kicking specialist.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to David Beverly.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 54, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 55. COMMENDING TERRY BEASLEY FOR HIS GREAT FOOTBALL CAREER AT AUBURN UNIVERSITY.

WHEREAS Terry Beasley is completing an outstanding career as a wide receiver on the Auburn University football team; and

WHEREAS "reception by Beasley" echoed in the football arenas throughout our beloved southland; and

WHEREAS "Touchdown Beasley" thrilled "War Eagle" fans throughout this great nation; and

WHEREAS Terry Beasley has covered himself with honor and reflected great credit on his school, his state, and in the highest tradition of sport; and

WHEREAS Terry Beasley set numerous receiving records exhibiting rare talent and speed on the football field; and

WHEREAS Terry Beasley is a consensus All American for the season of 1971; and

WHEREAS Terry Beasley will lead his team to the Sugar Bowl on New Year's day to meet the University of Oklahoma; and

WHEREAS Terry Beasley will soon embark on a new career in the professional football ranks; and

WHEREAS Terry Beasley has exemplified true sportsmanship and real character both on the football field and off the field, to the pride of all Auburn University football fans; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it extends its hearty congratulations to Terry Beasley on his outstanding football career at Auburn University and for the many honors, both past and future, bestowed upon him.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Terry Beasley.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 55, on the Clerk's desk for one legislative day.

H. 174 RECOMMITTED

On motion of Mr. Collins, the bill, H. 174, was recommitted to the Standing Committee on Local Legislation No. 3.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Kinsey:

H. 184. To amend Act No. 2452, H. 2798, Regular Session 1971, approved October 1, 1971, which provides courts in each county having a population of not less than 57,000 nor more than 61,000 inhabitants, and vests each with jurisdiction formerly exercised by justices of the peace, so as to provide further for the compensation and allowance of the judge of any such court.

Local Legislation No. 1.

By Messrs. Kinsey and Benton:

H. 185. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and require the county governing body in such counties to furnish automobile license tags for emergency vehicles owned by volunteer fire departments in unincorporated municipalities in such counties.

Local Legislation No. 1.

By Mr. Stokes (With Notice and Proof):

H. 186. To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile

County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

Local Legislation No. 3.

Notice and Proof H. 186:

LEGAL NOTICE
A BILL TO BE ENTITLED AN ACT

To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure: repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, is hereby amended to read as follows:

"Section 1. Section 3 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

'Section 3. The judges of the Court of General Sessions shall hold office for terms of six years and until their successors are elected and qualified. They shall be elected at the general election to be held in November, 1960, and every six years thereafter, and shall be installed in office on the first Monday after the second Tuesday in January, next following their election. They shall qualify by taking the oath of office prescribed for other judicial officers by the Constitution of Alabama. Each judge shall receive as compensation for his services as judge of the Court of General Sessions of Mobile County, an annual salary of Twenty Thousand Dollars ($20,000.00) which shall be paid in equal monthly installments out of the general fund of Mobile County, Alabama. No judge of said Court shall engage in the practice of law; provided, that this shall not apply to a special judge serving on a temporary basis. The Presiding Judge and the Associate Judge of the Court of General Sessions shall be ex-officio Presiding Judge and ex-officio Associate Judge, respectively, of the Inferior Civil Court of Mobile, and neither of said judges shall receive any additional compensation for said services except as provided by law.' "

Section 2. Section 5 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, is hereby amended further to read as follows:

"Section 5. Section 20 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

'Section 20. All civil cases shall be tried by the judge of the court without the intervention of a jury, the judge determining both the law and the facts. However, any party shall have the right to appeal to the circuit court within ten days from the rendition of judgment, and on appeal either party

may demand a trial by jury under the same rules as are provided by law for demands for jury trials in cases of appeals from judgments of justices of the peace; and the trial in the circuit court shall be de novo and shall conform to the procedure now fixed by law in appeals from courts of justices of the peace. During the ten days next succeeding the granting and entry of any judgment in the exercise of the civil jurisdiction in the Court of General Sessions of Mobile County, the court may set aside, amend, vacate or modify such judgment for any reason for which a Circuit Court may set aside, amend, vacate or modify its judgments according to the Constitution and statutes of this state and the common law.' "

Section 3. Section 10 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, is hereby amended further to read as follows:

"Section 10. Any judgment, decree or other action of the Court of General Sessions of Mobile County, Alabama occurring between the date November 1, 1971 and the time of the within Act becoming a law is hereby validated."

Section 4. Section 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, is hereby amended further to read as follows:

"Section 11. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law, except for the following language included in Section 1 thereof:

"Each judge shall receive as compensation for his services as judge of the Court of General Sessions of Mobile County, an annual salary of Twenty Thousand Dollars ($20,000.00), which shall be paid in equal monthly installments out of the General Fund of Mobile County, Alabama. No judge of said court shall engage in the practice of law; provided, that this shall not apply to a special judge serving on a temporary basis."

The above quoted excepted language shall take effect on the first Monday after the second Tuesday in January, 1973.

Judy Beasley, being sworn, says that she is bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, The Mobile Register Nov. 19, 26, Dec. 3, 10, 1971.

JUDY BEASLEY.

Sworn to and subscribed before me this 16th day of Dec., 1971.

T. F. RUSH,
Notary Public.

By Messrs. Cross and Carter (With Notice and Proof):

H. 187. To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Local Legislation No. 1.

Notice and Proof H. 187:

A BILL
ENTITLED
AN ACT

To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise then by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. Subpoenas requiring the attendance of witnesses in any civil, criminal, equity, or other case or proceeding in Lawrence County, or before the grand jury of Lawrence County may be served by the sheriff of Lawrence County or constable personally or by leaving a copy thereof at the place of residence of the witness or in the discretion of the said sheriff of Lawrence County the sheriff may serve the same by placing a copy thereof in the United States mail, enclosing the subpoena in an envelope properly stamped and addressed to the person or witness to be served. Upon service by the sheriff upon any witness or person by any one of the foregoing methods, the sheriff shall immediately mark the process executed. If the subpoena so mailed is not delivered to the addressee but is returned to the sheriff by the United States post office department, then the sheriff shall immediately make a diligent effort to serve the subpoena either personally or by leaving a copy thereof at the place of resident of the witness.

Section 2. Anything to the contrary not withstanding in Section 1 above, any judge having jurisdiction of the proceeding or case may on motion of any party or on the Court's own motion order any particular subpoena or the subpoenas in any case or proceeding to be served personally or by leaving a copy thereof at the place of residence of the said witness or person or by United States registered or certified mail.

Section 3. Whenever a subpoena requiring the attendance of a person or witness in any case or proceeding in Lawrence County is required pursuant to this Act to be served personally on the witness or by leaving a copy thereof at the place of residence of the witness, any law to the contrary notwithstanding, the sheriff of Lawrence County shall be entitled to collect as costs of court ten cents per mile for each mile traveled in serving the same.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 18, Nov. 25, Dec. 2, and Dec. 9, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me 13th of Dec., 1971.

ELIZABETH D. CASPERS,
Notary Public.

By Messrs. Jones (F), Taylor, Hobbie, Robertson, Reed (T), Headley and Straiton:

H. 188. To provide salary increments for certain State employees and making a conditional appropriation of money for such purpose.

Ways and Means.

By Messrs. Ellis, Bowers, Jones (E), Boles, Boutwell, Falkenburg, Gafford, McBride and Gloor:

H. 189. To provide additional compensation for members of the Board of Registrars in all counties of this state having a population of 500,000 or more according to the most recent or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Turner and Cottingham:

H. 190. To amend Act No. 1945, H. 584, of the Regular Session of 1971, which authorizes the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Local Government.

By Mr. Nettles:

H. 191. To authorize and provide for the establishment, operation and financing of a Public Defender office in Mobile County, Alabama, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office, to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender office; to provide for the taxing and collecting of additional Court costs in certain Courts in said County for such purpose and for the expenditure thereof, to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the County and Municipal bodies from which received.

Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. Directing the Jefferson County Transit Authority to study public transportation needs.

Also:

S. J. R. 21. Memorializing and paying tribute to those who lost their lives in World War II.

Also:

S. 3. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

Also:

S. 4. To amend Section 38, Title 13 of the Code of Alabama, 1940, which places certain responsibilities, duties and functions upon the Chief Justice of the Supreme Court of Alabama; to further set forth additional responsibilities, duties, functions and powers of the said Chief Justice pertaining to Supernumerary Circuit Judges, Circuit Judges, Department of Court Management, the Permanent Study Commission on Alabama's Judicial System, the Supreme Court, The Judicial Conference, and the administration of justice in Alabama; to authorize the Chief Justice to obtain statistics, data and other factual information from court officials; and to authorize the assignment of Circuit Judges to temporary duty with the Appellate Courts.

Also:

S. 23. To authorize county solid waste and park and recreation authorities in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to pay to the county health officer or his administrative assistant a monthly expense allowance.

Also:

S. 38. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Also:

S. 39. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis; and to repeal conflicting laws.

Also:

S. 57. To regulate further the excusing of persons from jury service in the Twelfth Judicial Circuit; to authorize requiring persons excused from jury

service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

S. 58. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Twelfth Judicial Circuit of Alabama.

Also:

S. 69. Relating to counties having populations of not less than 57,000 nor more than 61,000; to require the county commission in any such county to provide not less than 12 deputy sheriffs, and require one chief and two deputy jailors, and to prescribe the compensation of such deputies and jailors.

Also:

S. 70. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax collector of such counties.

Also:

S. 73. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the Judge of Probate of such counties.

Also:

S. 74. Relating to counties having a population of not less than 56,500 or more than 59,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance to the coroner of said counties in the amount of $75.00 per month.

Also:

S. 75. To provide for the reinstatement of certain persons holding permanent appointments in the classified service of the City of Dothan after having left such classified service to serve as heads of a department of government of such city or county with all their former status and rights pertaining thereto.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolution introduced on the Third Legislative Day was read by title, pursuant to Joint Rule 12:

H. J. R. 38. Mourning the Death of Roland Ellis Goodwin.

The following resolutions introduced on the Fourth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 46. MOURNING THE DEATH OF GORDON L. ROBERTSON.

H. J. R. 47. COMMENDING TOMMY YEAROUT FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS AND ALL AMERICAN HONORS.

The following resolution introduced on the Sixth Legislative Day was read by title, pursuant to Joint Rule 12:

H. J. R. 51. CONGRATULATING THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM FOR BEING CROWNED CO-CHAMPIONS OF ALABAMA HIGH SCHOOL FOOTBALL FOR CLASS 2–A.

On motion of Mr. Gloor, the resolutions were adopted en masse.

BILLS ON THIRD READING

And the bill:

H. 122 (With Substitute). To authorize the county commission of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the judicial circuit within such county.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the Judicial Circuit within such county; to repeal Act No. 51, H. 82, 1970 Special Session (Acts 1969–70, p. 2674) and other Acts which conflict with the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of any city located within any county having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census is hereby authorized to provide an expense allowance in the sum of $200 (two hundred dollars) per month to the District Attorney having jurisdiction in such county. Such sum shall be spent at the sole discretion of the District Attorney and he shall not be accountable to any county or state agency for the expenditure of such fund.

Section 2. Act No. 51, H. 82, 1970 Special Session (1969–70 Acts, p. 2674) and all other laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill, H. 122, as thus amended:

To authorize the county governing body of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the Judicial Circuit within such county; to repeal Act No. 51, H. 82, 1970 Special Session (Acts 1969–70, p. 2674) and other Acts which conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Falkenburg	Jones (E)
Adams	Collins	Fite	Jones (F)
Baker	Connell	Flippo	King
Barkett	Coshatt	Gafford	Kinsey
Bassett	Cottingham	Goodwin	Lang
Benton	Cross	Grainger	Lutz
Boles	Crowe	Gray (F)	McCluskey
Boutwell	Culver	Grey (D)	McCorquodale
Brassell	Doss	Hardin	Manley
Callahan	Downing	Harris	Mathews
Carnes	Drake	Headley	May
Carter	Easters	Hearn	Merrill
Casey	Edwards	Hill	Mims
Cauthen	Ellis	Hobbie	Naramore
Cherner	Erdreich	Jackson	Nettles

O'Daniel	Reid (R)	Smith (P)	Turner
Owens	Reynolds	Stokes	Turnham
Parker (H)	Roberts	Straiton	Waldrop
Perloff	Robertson	Stubbs	Williams
Pruitt	St. John	Taylor	Wise
Reed (T)	Smith (K)	Therrell	Wood

—84

And the bill:

H. 148. To amend further the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), as amended, which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis; by revising the mode of disbursement of said funds, and making such revision retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

H. 160. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of

offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

H. 161. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing that the county governing body may authorize the probate judge, tax assessor and tax collector to operate branch offices in the southern portion of such county; and to provide that such offices shall remain open for the transaction of business during certain periods of the year and during certain hours of each day.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Carnes	Cross	Falkenburg
Adams	Carter	Crowe	Fite
Baker	Casey	Culver	Flippo
Barkett	Cauthen	Doss	Gafford
Bassett	Cherner	Downing	Goodwin
Benton	Chesnut	Drake	Grainger
Boles	Collins	Easters	Gray (F)
Boutwell	Connell	Edwards	Grey (D)
Brassell	Coshatt	Ellis	Hardin
Callahan	Cottingham	Erdreich	Harris

Headley	McCluskey	Parker (H)	Stokes
Hearn	McCorquodale	Perloff	Straiton
Hill	Manley	Pruitt	Stubbs
Hobbie	Mathews	Reed (T)	Taylor
Jackson	May	Reid (R)	Therrell
Jones (E)	Merrill	Reynolds	Turner
Jones (F)	Mims	Roberts	Turnham
King	Naramore	Robertson	Waldrop
Kinsey	Nettles	St. John	Williams
Lang	O'Daniel	Smith (K)	Wise
Lutz	Owens	Smith (P)	Wood

—84

And the bill:

H. 171. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

S. 7. To repeal Section 10, and to amend Sections 2, 4, 9, 11, 12 and 16, of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by revising the methods of budgeting and financing of said office.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

S. 71. (With Amendment): To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

The title to Senate Bill 71 is hereby amended by adding the following words to said title between the words "allowance" and the word "for", viz: for the register in equity of the circuit court and

Section 1 of Senate Bill 71 is stricken in its entirety and the following is substituted in lieu thereof:

In any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census where the clerk of the circuit court also serves as clerk of the juvenile court, the clerk of the juvenile court shall be entitled to receive an expense allowance of $2,000.00 per annum, payable in equal monthly installments out of the general fund of the county. In such counties the register in equity of the circuit court shall also receive an expense allowance of $2,000.00 per annum, payable in equal monthly installments out of the general fund of the county. Such expense allowances shall be in addition to any and all other salary, compensation or allowances payable to such clerk or register.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill, S. 71, as thus amended, was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

S. 72. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax assessor of such counties.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

H. 69. To amend Act No. 545, S. 562, Acts of the Regular Session 1965 (Acts 1965, p. 795), which relates to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties, to provide further for the compensation of such commissions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	Mathews
Adams	Cottingham	Grey (D)	May
Baker	Cross	Hardin	Merrill
Barkett	Crowe	Harris	Mims
Bassett	Culver	Headley	Naramore
Benton	Doss	Hearn	Nettles
Boles	Downing	Hill	O'Daniel
Boutwell	Drake	Hobbie	Owens
Brassell	Easters	Jackson	Parker (H)
Callahan	Edwards	Jones (E)	Perloff
Carnes	Ellis	Jones (F)	Pruitt
Carter	Erdreich	King	Reed (T)
Casey	Falkenburg	Kinsey	Reid (R)
Cauthen	Fite	Lang	Reynolds
Cherner	Flippo	Lutz	Roberts
Chesnut	Gafford	McCluskey	Robertson
Collins	Goodwin	McCorquodale	St. John
Connell	Grainger	Manley	Smith (K)

Smith (P)	Stubbs	Turner	Williams
Stokes	Taylor	Turnham	Wise
Straiton	Therrell	Waldrop	Wood

—84

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for Mr. Waggoner to have the Journal show him voting "Yea" on all local bills voted on today.

BILLS ON THIRD READING RESUMED

And the bill:

H. 145. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; to establish a procedure for the implementation and control of all future annual salary increases or decreases for the License Commissioner in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

H. 159. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

S. 59. To authorize the county governing bodies in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

—84

And the bill:

S. 60. To Amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Baker	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (E)	Reid (R)
Bassett	Drake	Jones (F)	Reynolds
Benton	Easters	King	Roberts
Boles	Edwards	Kinsey	Robertson
Boutwell	Ellis	Lang	St. John
Brassell	Erdreich	Lutz	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McCorquodale	Stokes
Carter	Flippo	Manley	Straiton
Casey	Gafford	Mathews	Stubbs
Cauthen	Goodwin	May	Taylor
Cherner	Grainger	Merrill	Therrell
Chesnut	Gray (F)	Mims	Turner
Collins	Grey (D)	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Williams
Cottingham	Headley	Owens	Wise
Cross	Hearn	Parker (H)	Wood

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for Mr. Bank to have the Journal show him voting "Yea" on all local bills voted on today.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to fifty cents in each civil

case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the House non-concurred in the Senate amendment to the bill, H. 58, said Senate amendment being as follows:

Amend H. B. 58, both title and text, by deleting therefrom the words "fifty cents" wherever they appear, and inserting in lieu thereof the words "twenty-five cents".

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Goodwin	Nettles
Adams	Cottingham	Grainger	O'Daniel
Agee	Cross	Gray (F)	Perloff
Barkett	Culver	Hardin	Pruitt
Bassett	Doss	Harris	Reed (T)
Benton	Downing	Headley	Reynolds
Boles	Drake	Hearn	St. John
Boutwell	Easters	Hill	Smith (K)
Brassell	Ellis	King	Straiton
Carnes	Erdreich	Kinsey	Stubbs
Carter	Falkenburg	Lang	Taylor
Casey	Fite	Lutz	Therrell
Cherner	Flippo	Manley	Turner
Chesnut	Gafford	Mathews	Turnham
Collins	Gloor	May	Williams
Connell			

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On motion of Mr. Gloor, a Committee of Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 58.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Gloor, Boles and Jones (E).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 70. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Also:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any sub-

sequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 72. Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissionrs and creating in lieu therof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.
Also:

H. 20. To apply only to counties having a population of not less than 49,000, nor more than 52,000; to fix the salary and allowances of the coroner in such counties; to provide for salary and allowances when said coroner is called upon to serve as sheriff, and to provide for a referendum.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 87. To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill, H. 82 with pending amendment, having been postponed from the Sixth Legislative Day:

To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county

boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Albama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82 with pending amendment, was postponed to the Eighth Legislative Day.

And the bill, H. 67, having been postponed from the Sixth Legislative Day:

Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Was taken up.

H. 67 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was postponed to the Eighth Legislative Day.

And the bill, H. 115, having been postponed from the Sixth Legislative Day:

To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Was taken up.

H. 115 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 115, was postponed to the Eighth Legislative Day.

And the bill:

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

Was taken up.

S. 5 POSTPONED

No objection being offered, the bill, S. 5, was postponed to the Eighth Legislative Day.

And the bill:

H. 167. To provide for the exemption from ad valorem taxation of the home of any person who is sixty-five years of age or older and who had an

adjusted gross income of less than four thousand dollars for income tax purposes for the last preceding year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Perloff
Adams	Crowe	Hobbie	Pruitt
Agee	Culver	Jackson	Reed (T)
Baker	Doss	Jones (E)	Reid (R)
Barkett	Downing	Jones (F)	Reynolds
Bassett	Drake	King	Roberts
Benton	Easters	Kinsey	Robertson
Boles	Edwards	Lang	St. John
Boutwell	Ellis	Lutz	Smith (K)
Bowers	Erdreich	McBride	Smith (P)
Brassell	Falkenburg	McCluskey	Stokes
Burgess	Fite	McCorquodale	Straiton
Callahan	Flippo	Manley	Stubbs
Carnes	Gafford	Mathews	Taylor
Carter	Gloor	May	Therrell
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Nettles	Waldrop
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker (H)	Wise
Cottingham	Hearn	Parker (T)	Wood

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted all members voting "Yea" on the bill, H. 167, to have their names added as co-sponsors.

And the bill:

S. 65. To amend Section 10 of Act No. 211, Regular Session 1945, approved July 7, 1945, (General Acts of Alabama 1945, p. 330), which relates to public hospitals, so as to provide an alternative form of selecting the directors of certain public hospital associations.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cherner	Culver
Adams	Brassell	Chesnut	Doss
Agee	Burgess	Collins	Downing
Barkett	Callahan	Connell	Drake
Bassett	Carnes	Coshatt	Easters
Benton	Carter	Cottingham	Edwards
Boles	Casey	Cross	Ellis
Boutwell	Cauthen	Crowe	Erdreich

Falkenburg	Jackson	Naramore	Stokes
Fite	Jones (E)	O'Daniel	Straiton
Flippo	King	Owens	Stubbs
Gafford	Kinsey	Parker (T)	Therrell
Grainger	Lang	Perloff	Turnham
Gray (F)	Lutz	Pruitt	Waggoner
Hardin	McBride	Reed (T)	Waldrop
Harris	McCorquodale	Reynolds	Williams
Headley	May	Roberts	Wise
Hearn	Meeks	Robertson	Wood
Hill	Merrill	Smith (P)	

—75

And the bill:

S. 40. (With Amendments): Relating to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operation of schools and solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Department of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Department of Education and providing penalties for violations.

Was taken up.

The question, then, was on the adoption of the amendment #1 reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend Section 8 of SB 40 as substituted by changing the word "may" at the end of line 3 to read "shall".

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Reid (R)
Adams	Crowe	Hobbie	Reynolds
Adwell	Culver	Jackson	Roberts
Agee	Doss	Jones (E)	Robertson
Barkett	Downing	King	St. John
Bassett	Drake	Kinsey	Smith (K)
Benton	Easters	Lang	Smith (P)
Boles	Edwards	Lutz	Stokes
Boutwell	Ellis	McBride	Straiton
Brassell	Erdreich	McCluskey	Stubbs
Burgess	Falkenburg	McCorquodale	Taylor
Callahan	Fite	Manley	Therrell
Carnes	Flippo	May	Turner
Carter	Gafford	Merrill	Turnham
Casey	Gloor	Mims	Waggoner
Cauthen	Goodwin	Naramore	Waldrop
Cherner	Grainger	Nettles	Warren
Chesnut	Gray (F)	O'Daniel	Williams
Connell	Harris	Owens	Wise
Coshatt	Headley	Parker (T)	Wood
Cottingham	Hearn	Reed (T)	

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The question, then, was on the adoption of the amendment #2 reported by the Standing Committee on Education, said Committee amendment being as follows:

By adding to Section 4 of said Act the following sub-section:

Section 3 (sub-section k) Any resident private business school that is accredited by the Accrediting Commission for Business Schools, or its successor, provided that such accrediting agency is recognized as an official accrediting agency by the United States Office of Education. *Provided Nevertheless* that such resident private business school exempted by this subsection shall pay to the Alabama State Department of Education all fees and comply with all bond requirements as set forth in Section 6 of this Act and provided further that upon proof of such accreditation and payment of fees and compliance of the bond requirements in Section 6, the Alabama State Department of Education shall issue a license and permit to such business school as set forth in this Act, and, *Provided Further* that upon such exempted private business school complying with the provisions of Section 7 thereof, by paying the fees and complying with the bond requirements in said Section, the Alabama State Board of Education shall issue a license to such agent as set forth in this Act.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Pruitt
Adams	Crowe	Hobbie	Reed (T)
Adwell	Culver	Jackson	Reid (R)
Agee	Doss	Jones (E)	Reynolds
Barkett	Downing	Jones (F)	Roberts
Bassett	Drake	King	St. John
Benton	Easters	Kinsey	Smith (K)
Boles	Edwards	Lang	Smith (P)
Boutwell	Ellis	Lutz	Stokes
Brassell	Erdreich	McBride	Straiton
Burgess	Falkenburg	McCluskey	Stubbs
Callahan	Fite	McCorquodale	Taylor
Carnes	Flippo	Manley	Therrell
Carter	Gafford	May	Turner
Casey	Gloor	Merrill	Turnham
Cauthen	Goodwin	Mims	Waldrop
Cherner	Grainger	Naramore	Warren
Chesnut	Gray (F)	Nettles	Williams
Connell	Harris	O'Daniel	Wise
Coshatt	Headley	Owens	Wood
Cottingham	Hearn		—82

And the bill, S. 40, as thus amended, was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Baker	Benton	Brassell
Adams	Barkett	Boles	Burgess
Agee	Bassett	Boutwell	Callahan

Carnes	Erdreich	King	Roberts
Carter	Falkenburg	Kinsey	St. John
Casey	Flippo	Lutz	Smith (K)
Cauthen	Gafford	McBride	Smith (P)
Cherner	Gloor	McCluskey	Stokes
Chesnut	Goodwin	Manley	Straiton
Collins	Grainger	Merrill	Stubbs
Coshatt	Gray (F)	Mims	Taylor
Cottingham	Hardin	Naramore	Therrell
Cross	Harris	Nettles	Turner
Crowe	Headley	O'Daniel	Turnham
Culver	Hearn	Owens	Waggoner
Doss	Hill	Parker (T)	Waldrop
Downing	Hobbie	Perloff	Warren
Drake	Jackson	Pruitt	Williams
Easters	Jones (E)	Reed (T)	Wise
Edwards	Jones (F)	Reynolds	Wood
Ellis			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 98. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Criminal Cases in such Courts after the expiration of Ten years from the date of final Judgments, but no authority is given herein to destroy the Consolidated Docket and Fee Book Sheets, Final Record Books or the Indices in such Cases.

Also:

H. 120. To amend Section 2 of Act No. 821 of the 1971 Regular Session of the Legislature of Alabama; to provide that the provisions of this amendatory Act shall be retroactive to September 7, 1971.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:
By Messrs. Jackson and Wise:

H. J. R. 56. COMMENDING THE CELEBRATION OF THE SESQUICENTENNIAL OF COVINGTON COUNTY—DECEMBER 7, 1821–1971 AND THE ESTABLISHMENT OF THE FIRST POST OFFICE AND COUNTY SEAT AT MONTEZUMA.

WHEREAS on December 7, 1971, Covington County was 150 years old; and

WHEREAS Covington County was created by the Legislature on December 7, 1821 with its territory originally being a part of Henry County and of vast extent; and

WHEREAS its name was given in honor of Brigadier General Leonard Wails Covington, a native of Maryland, representative in Congress from that state, soldier in the war of 1812, and killed in the engagement at Williamsburg, Canada November 11, 1813; and

WHEREAS the first seat of justice of Covington County was Montezuma, located on the Conecuh River, the site known as Covington on old maps. In 1847 the town was destroyed by an overflow of that river and Andalusia was elected as the location of the new county seat. In 1878 the court house was destroyed by fire and a new building was erected to take its place; and

WHEREAS the name Florala is a combination of Florida and Alabama, the town lying near the border of these two states. Opp is named in honor of Mr. Henry Opp, a lawyer and its principal promoter; and

WHEREAS evidence of aboriginal history is found in some instances along the Conecuh River but the county was not settled by the aboriginees to any extent. Mounds are found which show European contacts in the form of Spanish relics appearing with the burials; and

WHEREAS Camp Branch, fourteen miles from Opp on the property of I. B. Igo, was an aboriginal town, probably settled by Creek Indians between 1814 and the disturbance of 1835–37; and

WHEREAS Covington County has made many outstanding contributions to our state and provided our state with many outstanding leaders; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature wishes to commend Covington County on reaching its 150th year and to extend its best wishes during its Sesquicentennial celebration.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Andalusia Star News, Andalusia, Alabama, the Opp News, Opp, Alabama, The Florala News, Florala, Alabama and the Honorable Leland Enzor, Probate Judge, Andalusia, Alabama, and the Cross Trails Regional Library, Opp, Alabama.

On motion of Mr. Jackson, the rules were suspended and the resolution, H. J. R. 56, was adopted.

Also:

By Messrs. Hobbie, Jones (F), Straiton, Harris and Taylor:

H. R. 57. COMMENDING EDGAR DANIEL NIXON FOR HIS OUTSTANDING SERVICE TO ALABAMA.

WHEREAS, Mr. Edgar Daniel Nixon, a native of the State of Alabama, has worked untiringly for the betterment of our state and its citizens; and

WHEREAS, Mr. Nixon has exemplified courage, sincerity, endurance and a burning desire to help mankind; and

WHEREAS, Mr. Nixon has allowed no compensation for his political and civic endeavors and has never received compensation for the forfeiture of his self-respect; and

WHEREAS, Mr. Nixon has been a leader in making the great American dream a reality for all people; and

WHEREAS, the House understands that Governor George C. Wallace heartily concurs in the sentiments expressed in this resolution; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, in recognition of his profound leadership ability and his influence on the citizens of the State of Alabama do hereby pay tribute to Edgar Daniel Nixon and urge the people of this State to participate in the activities honoring this outstanding citizen.

BE IT FURTHER RESOLVED That the Clerk of the House is hereby directed to transmit a copy of this resolution to the Honorable George C. Wallace and that Governor Wallace is hereby requested to cause this resolution to be delivered to Mr. Edgar Daniel Nixon.

On motion of Mr. Hobbie, the rules were suspended and the resolution, H. R. 57, was adopted.

Also:

By Messrs. Doss, Erdreich, Falkenburg, Bowers, Boutwell, Ellis, Gafford, McBride, Cherner, Manley, Pruitt, Boles, Jones (E) and Gloor:

H. J. R. 58. MOURNING THE DEATH OF DR. WILLIAM PRATT DALE, II.

WHEREAS the state of Alabama suffered a severe loss in the death of Dr. William Pratt Dale, II, history professor at Samford University; and

WHEREAS Dr. William Pratt Dale, II attended Delta State College in Mississippi and earned his bachelor, master's and doctorate degrees from Duke University where his diligence and dedication led to his election to Phi Beta Kappa; and

WHEREAS Dr. Dale began his brilliant career in education at Duke University where he served from 1936–41 as a tutor for the Duke Athletic Association; and

WHEREAS he joined the Samford University faculty in 1941 and in addition to his teaching duties, he served as dean of men and from 1960–63, as dean of students; and

WHEREAS blessed with an extraordinarily keen mind, an almost inexhaustible supply of energy and boundless interests Dr. Pratt was able to accomplish much more than can be credited to one man during his lifetime. He did post-doctoral work at Harvard University and was visiting lecturer at the Universities of Alabama, Chattanooga and Duke, and was a visting scholar at Duke University during the summer of 1953; and

WHEREAS at last spring's meeting of the Alabama Historical Association in Decatur, he delivered a brilliant and vivid account on the history of the Rooster Bridge; and

WHEREAS many honors have come to Dr. Dale throughout the years. He was on the editorial board of Alabama Review from 1965 until his death; was a member of the Southern Historical Association and was a former member of its membership committee; the Mississippi Valley Historical Associa-

tion and a charter member of the executive committee of the Alabama Historical Association; he is listed in Who's Who in Education; Who's Who in the South and Southwest; the Directory of American Scholars and was also a member of the Newcomen Society of North America; and

WHEREAS Dr. Dale's other honors include membership in the Alabama Academy of Science; Kappa Alpha social fraternity; Omicron Delta Kappa national leadership honorary; Kappa Phi Kappa; Phi Alpha Theta, national history honor society; the Gamma My, national social science honorary, and Alpha Phi Omega, service honorary; and

WHEREAS throughout his numerous honors and activities Dr. Dale was a loyal and faithful member of the Newbern Baptist Church; and

WHEREAS Dr. Dale's accomplishments would be incomplete without the inclusion of the many contributions which Dr. Dale made to thousands of students whose lives were influenced by his teaching and wise counsel, and who will long remember his many personal kindnesses and quiet understanding; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body are deeply grieved to learn of the passing of this eminent professor and kindly man who yet was never too busy to offer counsel to a common student. Few men have ever contributed so much to their profession, to their school and to the education of their state as Dr. William Pratt Dale, II.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the family and Samford University.

On motion of Mr. Doss, the rules were suspended and the resolution, H. J. R. 58, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Was taken up.

H. 179 POSTPONED

On motion of Mr. McBride, the bill, H. 179, was postponed to the Eighth Legislative Day.

And the bill:

S. 68. To authorize the Department of Conservation and Natural Resources to comply with Public Law 91–646, known as the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Perloff
Baker	Doss	Jackson	Pruitt
Barkett	Downing	Jones (E)	Reynolds
Bassett	Drake	Jones (F)	Roberts
Benton	Easters	King	Robertson
Boles	Edwards	Kinsey	Smith (K)
Boutwell	Ellis	Lutz	Smith (P)
Bowers	Erdreich	McBride	Stokes
Brassell	Falkenburg	McCluskey	Straiton
Burgess	Fite	Manley	Therrell
Carnes	Flippo	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Warren
Chesnut	Hardin	Nettles	Weeks
Collins	Harris	O'Daniel	Williams
Connell	Hill	Owens	Wise
Cottingham			

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And the bill:

H. 149. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Parker (H)
Adams	Crowe	Hobbie	Parker (T)
Baker	Culver	Jackson	Perloff
Barkett	Doss	Jones (E)	Pruitt
Bassett	Downing	Jones (F)	Reed (T)
Benton	Easters	King	Reid (R)
Boles	Edwards	Kinsey	Reynolds
Boutwell	Ellis	Lutz	Robertson
Bowers	Erdreich	McBride	Smith (K)
Brassell	Falkenburg	McCluskey	Smith (P)
Burgess	Fite	Manley	Stokes
Carnes	Flippo	Mathews	Straiton
Carter	Goodwin	May	Stubbs
Casey	Grainger	Meeks	Taylor
Cauthen	Gray (F)	Merrill	Therrell
Cherner	Grey (D)	Mims	Turner
Chesnut	Hardin	Naramore	Turnham
Connell	Harris	Nettles	Waldrop
Coshatt	Headley	O'Daniel	Williams
Cottingham	Hearn	Owens	Wood

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. J. R. 53. Relative to adjournment of the two houses to meet again on Tuesday, December 14, 1971.

Also:

H. 87. To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

Also:

H. 72. Relating to St. Clair County; providing for the reorganization of the government of the county; abolishing the Court of County Commissioners and creating in lieu thereof the St. Clair County Commission and designating its members; providing for the manner in which their successors shall be elected and prescribing their qualifications, terms and compensation; providing for the organization and jurisdiction of the commission and the powers and duties of its members; providing for the employment of a county engineer pursuant to Act No. 1728, H. 2522, Regular Session 1971; repealing conflicting laws; providing for effective date of this act.

Also:

H. 20. To apply only to counties having a population of not less than 49,000, nor more than 52,000; to fix the salary and allowances of the coroner in such counties; to provide for salary and allowances when said coroner is called upon to serve as sheriff, and to provide for a referendum.

Also:

H. 70. To provide for an additional eighteen hundred dollar ($1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Also:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 94. (With Amendment): To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said Committee amendment being as follows:

Amend House Bill 94 in Section 1, subsection 425, in the second paragraph by deleting the word "Wilcox" and substituting the word "Choctaw".

Further amend in Section 1, Subsection 425, in the paragraph beginning "The seventh district" by deleting the word "Choctaw" and substituting the word "Wilcox" therefor.

MOTION TO TABLE LOST

The motion of Mr. Mims to table the amendment was lost.

Yeas 19; Nays 25.

Yeas:

Messrs.:	Cottingham	Lang	Pruitt
Adams	Doss	May	Straiton
Benton	Edwards	Mims	Turner
Carnes	Erdreich	Nettles	Warren
Connell	Gloor	O'Daniel	Wise

—19

Nays:

Messrs.:	Ellis	Owens	Stubbs
Agee	Grainger	Parker (T)	Taylor
Boutwell	Hearn	Perloff	Therrell
Callahan	King	Robertson	Waggoner
Cauthen	Lutz	Smith (K)	Williams
Downing	McBride	Stokes	Wood
Drake	McCorquodale		

—25

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question, then was on the adoption of the amendment reported by the Standing Committee on Constitution and Elections, and the amendment was adopted.

Yeas 39; Nays 10.

Yeas:

Messrs.:	Cottingham	Headley	Parker (T)
Adams	Crowe	Hearn	Perloff
Bassett	Doss	Hobbie	Pruitt
Brassell	Downing	King	Robertson
Burgess	Drake	Lutz	Smith (K)
Callahan	Edwards	McCorquodale	Stokes
Casey	Ellis	Manley	Stubbs
Cauthen	Gloor	Merrill	Therrell
Chesnut	Grainger	Owens	Waggoner
Collins	Hardin	Parker (H)	Wood

—39

Nays:

Messrs.:	Erdreich	Lang	Straiton
Carnes	Hill	Mims	Warren
Connell	Jones (F)	Nettles	

—10

PRESENCE OF A QUORUM ASCERTAINED

The Presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 94, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 13.

Yeas:

Mr. Speaker	Drake	Jones (F)	Pruitt
Agee	Edwards	King	Reid (R)
Baker	Ellis	Kinsey	Reynolds
Bassett	Erdreich	Lutz	Roberts
Benton	Falkenburg	McBride	Robertson
Boles	Fite	McCluskey	St. John
Boutwell	Flippo	McCorquodale	Smith (K)
Bowers	Gafford	Manley	Smith (P)
Burgess	Gloor	Mathews	Stokes
Callahan	Goodwin	May	Straiton
Carter	Grainger	Meeks	Stubbs
Casey	Grey (D)	Merrill	Taylor
Cauthen	Hardin	Mims	Therrell
Cherner	Harris	Naramore	Turner
Chesnut	Headley	Nettles	Waggoner
Collins	Hearn	O'Daniel	Warren
Cross	Hill	Owens	Weeks
Crowe	Hobbie	Parker (H)	Williams
Culver	Jackson	Parker (T)	Wise
Doss	Jones (E)	Perloff	Wood
Downing			

—81

Nays:

Messrs.:	Carnes	Easters	Reed (T)	
Adams	Connell	Gray (F)	Turnham	
Barkett	Coshatt	Lang	Waldrop	
Brassell	Cottingham			—13

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 16. To amend Section 5 of Act #2307 of 1971 Regular Session relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

Also:

H. 41. To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama Court of Civil Appeals to the Supreme Court of Alabama.

Also:

H. 42. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur in the Court's decision; and to appropriate monies to carry out the provisions hereof.

Also:

H. 91. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary-reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the Personnel Board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Also:

H. 119. To amend Section 5 of Act No. 1957, H. 1851, Legislature of 1971, Regular Session, approved September 20, 1971, an Act to provide for the regulation of the custom application of pesticides by aircraft and ground equipment, etc., said Section 5 thereof relating to the bond or liability insurance required by persons engaged in the custom application of pesticides.

Also:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 50. Mourning the death of Roberts Henry Brown.

Also:

H. J. R. 52. Mourning the death of Reverend David W. Lewis, Pastor of the Five Points Baptist Church, Northport, Alabama.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 172. To provide that any person who is qualified to vote an absentee ballot at any election held in this State because of attendance at an institution of higher learning outside of the county of his residence, or the spouse or child of such person, shall automatically be mailed an absentee ballot before each election.

Was taken up.

Messrs. Hale and King offered the following substitute to the bill:

SYNOPSIS: This bill provides that any person who is qualified to vote an absentee ballot because of his attendance at an institution of higher learning located outside the county of his residence, or the spouse or child of such a person, shall be automatically mailed an absentee ballot before each election.

A BILL
TO BE ENTITLED
AN ACT

To provide that any person who is qualified to vote an absentee ballot at any election held in this State because of attendance at an institution of higher learning outside of the county of his residence, or the spouse or child of such person, shall automatically be mailed an absentee ballot before each election.

Be It Enacted by the Legislature of Alabama:

Section 1. All college students and their spouses with them at the location of the college who wish to vote absentee in any election year shall so notify the board of registrars in their county of registration and such notice shall be accompanied by a statement from the college registrar that such persons are students or the spouses of students and the address to which the ballot shall be mailed shall be stated. This shall constitute an application for placement on the regular absentee voting list. Such list shall be filed with the register in chancery not less than thirty days before each election along with any changes made during the calendar year. At the beginning of each calendar year the board of registrars shall mail a letter to each person on such list to determine whether or not they are still students or eligible spouses of stu-

dents and whether or not they wish to remain on such absentee list. A name shall be removed from the absentee list upon request to the board of registrars or upon the person ceasing to be a student or the spouse of a student. So long as a name of a voter remains on the absentee list he shall vote by absentee ballot and in no other way.

Section 2. Any person in this State who is registered to vote by mail because of the fact that they attend an institution of higher learning located outside the county of their residence, or the spouse or child of such a person, shall have said fact so noted on the absentee voter rolls and the register in chancery or other person in the county handling absentee ballots shall automatically mail all such voters an absentee ballot not less than 20 days before any primary, general, special or municipal election held in such county, unless however, the voter notifies the register in chancery that he does not wish to have the absentee ballot mailed to him.

Section 3. All absentee ballots cast under the provisions of this act shall in all other respects be governed by the general law of this State regarding absentee voting.

Section 4. The necessary forms, postage and supplies to carry out the provisions of this Act shall be provided as are other election forms, postage and supplies.

Section 5. The provisions of this law are cumulative and supplemental and shall not repeal any law with which it conflicts but the provision of this law shall be paramount to and shall supersede any provision of law with which it conflicts.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such delcaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

H. 172 POSTPONED

On motion of Mr. Gafford, the bill, H. 172, with pending substitute, was postponed to the Eighth Legislative Day.

Yeas 48; Nays 19.

Yeas:

Mr. Speaker	Doss	Headley	Parker (H)
Barkett	Downing	Hobbie	Parker (T)
Bassett	Drake	Jackson	Perloff
Benton	Edwards	Jones (E)	Pruitt
Boles	Ellis	Kinsey	Reynolds
Boutwell	Falkenburg	Lutz	Robertson
Brassell	Gafford	McBride	Smith (K)
Burgess	Goodwin	McCorquodale	Stubbs
Callahan	Grainger	May	Taylor
Cherner	Grey (D)	Naramore	Therrell
Crowe	Hardin	O'Daniel	Turnham
Culver	Harris	Owens	Wise

—48

Nays:

Messrs.:	Cross	Hill	Smith (P)
Adams	Erdreich	Merrill	Stokes
Carnes	Flippo	Nettles	Straiton
Connell	Gray (F)	Reed (T)	Turner
Cottingham	Hearn	Roberts	Waldrop

—19

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 111. To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bond; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection," so as to change the membership of the coliseum authority created by this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 111, said Senate amendment being as follows:

Amend the title of H. 111 by deleting, beginning on line 14, the following:

"and to levy a privilege tax on lodging in each county coming under this act as a means of financing such coliseum and provide for its collection".

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Ellis
Adams	Callahan	Crowe	Erdreich
Barkett	Carnes	Culver	Falkenburg
Bassett	Carter	Doss	Fite
Boles	Casey	Downing	Flippo
Boutwell	Connell	Drake	Goodwin
Bowers	Coshatt	Easters	Grainger
Brassell	Cottingham	Edwards	Gray (F)

Grey (D)	McBride	Parker (H)	Straiton
Hardin	McCorquodale	Pruitt	Stubbs
Harris	Manley	Reed (T)	Taylor
Hearn	Mathews	Reid (R)	Therrell
Hill	May	Reynolds	Turner
Jackson	Merrill	Roberts	Turnham
Jones (E)	Mims	Robertson	Waldrop
Jones (F)	Naramore	Smith (K)	Warren
King	O'Daniel	Smith (P)	Williams
Lang	Owens	Stokes	Wood
Lutz			

—73

And the bill, H. 111, as thus amended:

To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bond; to delcare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom;" so as to change the membership of the coliseum authority created by this Act.

Was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Reed (T)
Adams	Downing	Jones (E)	Reid (R)
Barkett	Drake	Jones (F)	Reynolds
Bassett	Easters	King	Roberts
Boles	Edwards	Lang	Robertson
Boutwell	Ellis	Lutz	Smith (K)
Bowers	Erdreich	McBride	Smith (P)
Brassell	Falkenburg	McCorquodale	Stokes
Burgess	Fite	Manley	Straiton
Callahan	Flippo	Mathews	Stubbs
Carnes	Goodwin	May	Taylor
Carter	Grainger	Merrill	Therrell
Casey	Gray (F)	Mims	Turner
Connell	Grey (D)	Naramore	Turnham
Coshatt	Hardin	O'Daniel	Waldrop
Cottingham	Harris	Owens	Warren
Cross	Hearn	Parker (H)	Williams
Crowe	Hill	Pruitt	Wood
Culver			

—73

BILLS ON THIRD READING RESUMED

And the bill:

H. 169. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled:

"To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Reed (T)
Adams	Culver	Hobbie	Reid (R)
Barkett	Doss	Jones (E)	Reynolds
Bassett	Downing	Jones (F)	Roberts
Boles	Drake	King	Robertson
Boutwell	Easters	Lang	Smith (K)
Bowers	Edwards	Lutz	Smith (P)
Brassell	Ellis	McBride	Stokes
Burgess	Erdreich	Manley	Straiton
Callahan	Falkenburg	Merrill	Stubbs
Carnes	Goodwin	Mims	Taylor
Carter	Grainger	Naramore	Therrell
Casey	Gray (F)	O'Daniel	Turner
Cauthen	Grey (D)	Owens	Turnham
Chesnut	Hardin	Parker (H)	Waldrop
Connell	Harris	Perloff	Warren
Coshatt	Headley	Pruitt	Wood
Cottingham	Hearn		—70

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Drake for the Journal to show him voting "Yea" on the bill, H. 149.

RESOLUTION

The following resolution was introduced:

By Messrs. Grainger, Lutz, King and Hearn:

H. J. R. 59. MOURNING THE DEATH OF ROBERT LOWRY.

WHEREAS, Robert Lowry, one of Huntsville's most distinguished leaders, died on December 9, 1971, at the age of 64, after fighting a courageous but losing battle with cancer; and

WHEREAS, Mr. Lowry was an outstanding leader of his community in business as well as in civic affairs. He was Chairman of the Board and Chief Executive Officer of First National Bank of Huntsville and Chairman of the

Board of First Alabama Bancshares which include First National Bank of Huntsville, First National Bank of Montgomery and Exchange Security Bank of Birmingham, and for several years was a successful cotton merchant; and

WHEREAS, Mr. Lowry was a member of many business and social organizations and was a noted sportsman. He was one of the organizers of the Huntsville Country Club, a member of the Birmingham Country Club and the Turtle Point Yacht and Country Club in Florence; and

WHEREAS, Mr. Lowry was the grandson of a former governor of the State of Mississippi and the grandson of a former mayor of Huntsville. He attended the University of Alabama and the University of Tennessee and was a member of Sigma Nu Fraternity; and

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, BOTH HOUSES THEREOF CONCURRING That the City of Huntsville and the entire State of Alabama has suffered a severe loss on the death of Mr. Robert Lowry. We extend our deep and heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 59, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Edington:

S. 100. Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 100. Standing Committee on Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Dominick:

S. 92. To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the regis-

tration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Also:

By Mr. Dozier:

S. 110. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, to provide for an annual expense allowance for the judge of the inferior court of such counties.

Also:

By Mr. Dozier:

S. 111. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 92. Standing Committee on Local Legislation No. 2.

S. 110. Standing Committee on Local Legislation No. 1.

S. 111. Standing Committee on Local Legislation No. 1.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 5:48 P.M. On December 14, 1971.

H. J. R. 53

H. 87

H. 72

H. 20

H. 70

H. 54

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 2:00 o'clock p. m., Thursday, December 16, 1971.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, December 15, 1971.

The House did not meet today.

NINTH DAY

House of Representatives
Montgomery, Alabama
Thursday, December 16, 1971

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chriss Doss, member of the House of Representatives from Jefferson County, Birmingham, Alabama.

ROLL CALL

On a call of the role of the House, the following members answered to their names:

Mr. Speaker	Crawford	Jones (E)	Reynolds
Adams	Cross	Jones (F)	Robertson
Adwell	Crowe	King	St. John
Baker	Dill	Kinsey	Slate
Bank	Doss	Lang	Smith (K)
Barkett	Downing	Lutz	Smith (P)
Bassett	Drake	McBride	Snell
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McCorquodale	Straiton
Boutwell	Fite	McDonald	Stubbs
Bowers	Gafford	Mathews	Taylor
Brassell	Gloor	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	O'Daniel	Waldrop
Cauthen	Hardin	Owens	Wallace
Cherner	Harris	Parker (H)	Warren
Chesnut	Headley	Parker (T)	Weeks
Collins	Hearn	Perloff	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reed (T)	Wood
Cottingham	Jackson	Reid (R)	—95

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Carnes, leave of absence was granted for Mrs. Wynot, due to illness.

On motion of Mr. Culver, leave of absence was granted for Mr. Bank.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 173. Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

H. 185. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and require the county governing body in such counties to furnish automobile license tags for emergency vehicles owned by volunteer fire departments in unincorporated municipalities in such counties.

H. 187. To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail

in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 186. To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 100 (With Substitute). Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 35. To amend Section 1 of Act No. 206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 27 (With Amendment). To amend Section 2, 3, 4, 5 and 6 of Act No. 2271 of the 1971 Regular Session of the Legislature of Alabama which Act relates to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 92 (With Substitute). To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, re-

lating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 189. To provide additional compensation for members of the Board of Registrars in all counties of this state having a population of 500,000 or more according to the most recent or any subsequent federal decennial census.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 38. Mourning the Death of Roland Ellis Goodwin.

Also:

H. J. R. 46. Mourning the death of Gordon L. Robertson.

Also:

H. J. R. 47. COMMENDING TOMMY YEAROUT FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS AND ALL AMERICAN HONORS.

Also:

H. J. R. 51. CONGRATULATING THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM FOR BEING CROWNED CO-CHAMPIONS OF ALABAMA HIGH SCHOOL FOOTBALL FOR CLASS 2–A.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to fifty cents in each civil

case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. King, Dominick and Gilmore.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions introduced on the Seventh Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 54. COMMENDING DAVID BEVERLY FOR MAKING THE ALL SOUTHEASTERN CONFERENCE TEAM.

H. J. R. 55. COMMENDING TERRY BEASLEY FOR HIS GREAT FOOTBALL CAREER AT AUBURN UNIVERSITY.

H. J. R. 59. MOURNING THE DEATH OF ROBERT LOWRY.

On motion of Mr. Gloor, the resolutions were adopted en masse.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 40. Relating to certain schools and/or courses of instruction publicized, sold, offered for sale, and/or administered to residents of this State; prescribing certain requirements relative to the operation of schools and solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Department of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Department of Education and providing penalties for violations.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 23. WHEREAS, The Marion County High School Red Raiders played consistently superior football throughout the season and won The State of Alabama Class A Football Championship this year; and

WHEREAS, Coach Bill Rayburn, Coach Roger Akers, and Coach Don-

ald Jones are due much credit for the high degree of skill displayed by the team; and

WHEREAS, Captains Tony Baird and Wade Sexton displayed fine spirit and the will to win which is necessary to a winning team; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend the Marion County High School Red Raiders Football Team for winning the Class A Football Championship and congratulate the coaches and Mr. Hubert Junkin, Principal.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Marion County High School Football Team, Coaches Bill Rayburn, Roger Akers, and Donald Jones, and Principal Hubert Junkins.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 23, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dozier:

S. J. R. 25. WHEREAS The Enterprise High School Band has been invited to participate in the U.S. Olympics Band competition for 1972 to be held in Munich, Germany and

WHEREAS The Wildcat Band would be the sole representative from Alabama and one of the ten bands from throughout the United States so honored; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That we do offer our heartiest congratulations to the Enterprise Band and to their band director, Bob McMillan, and encourage them to take advantage of this unique opportunity to serve as ambassadors of good will on behalf of Alabama and the United States of America.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mayor M. N. "Jug" Brown and to band director, Bob McMillan.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Easters, the rules were suspended and the House con-

curred in and adopted the resolution, S. J. R. 25, set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Gloor:

H. J. R. 60. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING That when the two Houses adjourn today, they adjourn to meet again on Friday, December 17, 1971; and that when they adjourn on Friday, December 17, 1971, they adjourn to meet again on Saturday, December 18, 1971; and that when they adjourn on Saturday, December 18, 1971, they adjourn to meet again on Monday, December 20, 1971; and that when they adjourn on Monday, December 20, 1971, they adjourn to meet again on Tuesday, December 21, 1971; and that when they adjourn on Tuesday, December 21, 1971, they adjourn to meet again on Wednesday, December 22, 1971; and that when they adjourn on Wednesday, December 22, 1971, they adjourn to meet again on Thursday, December 23, 1971; and that when they adjourn on Thursday, December 23, 1971, they adjourn Sine Die.

The motion of Mr. Gloor to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 60, was lost.

Yeas 34; Nays 49.

Yeas:

Mr. Speaker	Chesnut	McCorquodale	Slate	
Adams	Collins	Mathews	Snell	
Adwell	Downing	Meeks	Stokes	
Baker	Drake	Merrill	Stubbs	
Barkett	Gloor	Owens	Turner	
Boutwell	Goodwin	Parker (H)	Turnham	
Bowers	Headley	Perloff	Warren	
Brassell	Hobbie	Robertson	Williams	
Callahan	Jones (F)			—34

Nays:

Messrs.:	Cross	Lang	Reid (R)	
Bassett	Culver	Lutz	Reynolds	
Benton	Dill	McBride	Smith (K)	
Boles	Doss	McCluskey	Smith (P)	
Burgess	Edwards	McDonald	Straiton	
Carnes	Ellis	May	Therrell	
Carter	Grainger	Mims	Timmons	
Cauthen	Gray (F)	Naramore	Waggoner	
Cherner	Hale	O'Daniel	Waldrop	
Connell	Hardin	Parker (T)	Wallace	
Coshatt	Harris	Pruitt	Weeks	
Cottingham	Hill	Reed (T)	Wise	
Crawford	Jones (E)			—49

REFERRED TO RULES

The resolution, H. J. R. 60, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gloor:

H. J. R. 61. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Friday, December 17, 1971; and that when they adjourn on Friday, December 17, 1971, they adjourn to meet again on Saturday, December 17, 1971; and that when they adjourn on Saturday, December 18, 1971, they adjourn to meet again on Monday, December 20, 1971; and that when they adjourn on Monday, December 20, 1971, they adjourn to meet again on Tuesday, December 21, 1971; and that when they adjourn on Tuesday, December 21, 1971, they adjourn to meet again on Wednesday, December 22, 1971; and that when they adjourn on Wednesday, December 22, 1971, they adjourn to meet again on Thursday, December 23, 1971; and that when they adjourn on Thursday, December 23, 1971, they adjourn to meet again on Monday, December 27, 1971; and that when they adjourn on Monday, December 27, 1971, they adjourn to meet again on Tuesday, December 28, 1971; and that when they adjourn on Tuesday, December 28, 1971, they adjourn to meet again on Wednesday, December 29, 1971; and that when they adjourn on Wednesday, December 29, 1971, they adjourn to meet again on Wednesday, January 5, 1972.

The motion of Mr. Gloor to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 61, was lost, lacking a four-fifths vote.

Yeas 55; Nays 28.

Yeas:

Mr. Speaker	Dill	McCluskey	Slate	
Adams	Drake	McCorquodale	Smith (P)	
Adwell	Edwards	McDonald	Snell	
Baker	Gloor	Mathews	Straiton	
Barkett	Goodwin	Meeks	Stubbs	
Boles	Grainger	Merrill	Taylor	
Boutwell	Gray (F)	Mims	Turner	
Brassell	Grey (D)	Naramore	Turnham	
Burgess	Hale	O'Daniel	Waggoner	
Callahan	Headley	Owens	Warren	
Carter	Hobbie	Parker (T)	Weeks	
Chesnut	Jones (F)	Reid (R)	Williams	
Collins	Lang	Reynolds	Wise	
Crawford	McBride	Robertson		—55

Nays:

Messrs.:	Cottingham	Hardin	Pruitt	
Bassett	Cross	Harris	Smith (K)	
Benton	Crowe	Hill	Stokes	
Bowers	Culver	Jones (E)	Therrell	
Carnes	Doss	Lutz	Timmons	
Cauthen	Downing	May	Waldrop	
Cherner	Ellis	Perloff	Wallace	
Connell				—28

REFERRED TO RULES

The resolution, H. J. R. 61, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 56. Commending the celebration of the Sesquicentennial of Covington County—December 7, 1821–1971 and the establishment of the first post office and county seat at Montezuma.

Also:

H. J. R. 58. Mourning the death of Dr. William Pratt Dale, II.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 66. To make supplemental appropriations to the Dairy Commission for the fiscal years ending September 30, 1972 and September 30, 1973.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Drake, the House recessed for fifteen minutes.

Yeas 49; Nays 31.

Yeas:

Mr. Speaker	Crawford	Headley	Owens
Adams	Cross	Hobbie	Reed (T)
Adwell	Crowe	Jones (E)	Reid (R)
Baker	Culver	Jones (F)	Reynolds
Barkett	Downing	McCluskey	Robertson
Boles	Drake	McCorquodale	Snell
Brassell	Edwards	McDonald	Stokes
Burgess	Gloor	Mathews	Stubbs
Callahan	Goodwin	Merrill	Turner
Chesnut	Grainger	Mims	Turnham
Collins	Gray (F)	Naramore	Warren
Connell	Grey (D)	O'Daniel	Wise
Cottingham			

—49

Nays:

Messrs.:	Cauthen	Hardin	Meeks
Bassett	Cherner	Harris	Parker (H)
Boutwell	Dill	Hill	Perloff
Bowers	Doss	Lang	Pruitt
Carnes	Ellis	Lutz	Slate
Carter	Hale	McBride	Smith (K)

Straiton	Therrell	Waggoner	Wallace
Taylor	Timmons	Waldrop	Weeks

—31

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the resolution, H. J. R. 61, and ordered same returned to the House with a favorable report.

Mr. Drake moved that the House concur in and adopt the resolution, H. J. R. 61.

SUBSTITUTE OFFERED

Mr. Cherner offered the following substitute to the resolution, H. J. R. 61:

Be It Resolved By The House Of Representatives, The Senate Concurring, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, December 21, 1971.

SUBSTITUTE TABLED

On motion of Mr. Drake, the substitute offered by Mr. Cherner was tabled.

Yeas 45; Nays 36.

Yeas:

Mr. Speaker	Connell	Jones (F)	Perloff
Adams	Cottingham	Kinsey	Reynolds
Adwell	Downing	Lang	Snell
Baker	Drake	McCorquodale	Stubbs
Barkett	Edwards	Mathews	Taylor
Bassett	Gloor	Merrill	Therrell
Boutwell	Hardin	Mims	Turner
Brassell	Headley	Naramore	Turnham
Burgess	Hobbie	O'Daniel	Warren
Callahan	Jackson	Owens	Williams
Chesnut	Jones (E)	Parker (T)	Wise
Collins			

—45

Nays:

Messrs.:	Doss	McBride	Smith (K)
Bowers	Ellis	May	Smith (P)
Carnes	Goodwin	Meeks	Stokes
Carter	Gray (F)	Parker (H)	Straiton
Cauthen	Grey (D)	Pruitt	Timmons
Cherner	Hale	Reed (T)	Waggoner
Coshatt	Harris	Reid (R)	Waldrop
Cross	Hill	Robertson	Wallace
Culver	Lutz	Slate	Weeks
Dill			

—36

RESOLUTION ADOPTED

The question, then, was on the adoption of the resolution, H. J. R. 61, and the resolution was adopted.

Yeas 54; Nays 22.

Yeas:

Mr. Speaker	Culver	Kinsey	Reynolds	
Adams	Dill	Lang	Robertson	
Adwell	Downing	McCorquodale	Slate	
Baker	Drake	Mathews	Smith (P)	
Barkett	Edwards	Meeks	Snell	
Bassett	Gloor	Merrill	Stubbs	
Boutwell	Grey (D)	Mims	Therrell	
Brassell	Hale	Naramore	Turner	
Burgess	Hardin	O'Daniel	Turnham	
Callahan	Headley	Owens	Warren	
Chesnut	Hobbie	Parker (T)	Weeks	
Collins	Jackson	Perloff	Williams	
Connell	Jones (E)	Reid (R)	Wise	
Crawford	Jones (F)			—54

Nays:

Messrs.:	Cross	Lutz	Stokes	
Bowers	Doss	McBride	Straiton	
Carnes	Ellis	May	Timmons	
Carter	Goodwin	Parker (H)	Waggoner	
Cauthen	Harris	Pruitt	Waldrop	
Coshatt	Hill	Smith (K)		—22

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 16. To amend Section 5 of Act #2307 of 1971 Regular Session relating to coverage of School Bus Drivers, etc., in the Teachers' Retirement System of Alabama.

Also:

H. 41. To provide for the transfer of cases from the Alabama Court of Criminal Appeals and the Alabama Court of Civil Appeals to the Supreme Court of Alabama.

Also:

H. 42. To amend Section 21 of Act No. 987, approved September 12, 1969, so as to provide that the Court of Criminal Appeals shall be composed of five judges who may sit in panels of three so long as three judges concur in the Court's decision; and to appropriate monies to carry out the provisions hereof.

Also:

H. 91. To authorize and direct the State of Alabama Personnel Board to establish tax-deferred annuity and deferred compensation programs for salaried state employees; to provide for voluntary salary-reduction contributions by employees; to provide for payroll deductions of the contributions for participating employees; to provide for the adoption of consolidated billing and administrative services by the Personnel Board; to prohibit any conflict with the provisions of the State of Alabama Employees Retirement System.

Also:

H. 119. To amend Section 5 of Act No. 1957, H. 1851, Legislature of 1971, Regular Session, approved September 20, 1971, an Act to provide for the regulation of the custom application of pesticides by aircraft and ground equipment, etc., said Section 5 thereof relating to the bond or liability insurance required by persons engaged in the custom application of pesticides.

Also:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

Also:

H. 111. To amend Section 3 of Act No. 1958, H. 1874, 1971 Regular Session, approved September 20, 1971, entitled "An Act Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bond; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom;" so as to change the membership of the coliseum authority created by this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Pruitt, Robertson and Ellis:

H. J. R. 62. CONGRATULATING LIVINGSTON STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS CHAMPIONSHIP.

WHEREAS the magnificent Livingston State University football team, "The Tigers" on a sunswept Saturday afternoon, December 11, 1971 brought a national championship to the Deep South and the State of Alabama once again by defeating the previously unbeaten Arkansas Tech "Wonderboys" 14—12 and thus winning the National Association of Intercollegiate Athletics Championship; and

WHEREAS this is the second National Association of Intercollegiate Championship won by a football team from the State of Alabama in the last four years; and

WHEREAS this magnificent football team displayed unusual determination and dedication throughout the season and especially through the national playoffs on their way to winning this national championship; and

WHEREAS this great achievement by the Livingston State University football team reflects credit not only upon the school and the players but also upon the State of Alabama; and

WHEREAS this great football team has greatly enhanced the State of Alabama and carried forward the great heritage and tradition that the State of Alabama has achieved throughout the history of college football; and

WHEREAS this outstanding feat was achieved under the astute and brilliant leadership of its fabulous young Head Coach, Mickey Andrews and his well talented assistant coaches; and

WHEREAS during this national championship game the Livingston State University defensive team placed itself in the NAIA record book by intercepting four passes which tied the existing record for a Champion Bowl game in its 16 year history; and

WHEREAS one of the Livingston State defensive players, middle linebacker Nels Stickland, was the tigers ring leader on defense with an amazing feat of 15 individual tackles, seven assists and one interception. Mr. Strickland was named the game's Outstanding Defensive Player; and

WHEREAS the State of Alabama is tremendously proud of the honor that this great Livingston State University football team has brought to the school and to the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature extends its warmest congratulations to the Livingston State University football team for winning the National Intercollegiate Athletic Championship.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the members of the team, Head Coach Mickey Andrews and the Assistant Coaches and President John E. Deloney.

On motion of Mr. Pruitt, the rules were suspended and the resolution, H. J. R. 62, was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 63. PROVIDING FOR THE PRINTING AND BINDING TOGETHER OF ALL ACTS OF ALL SESSIONS OF THE 1971 LEGISLATURE WHICH ARE CONVENED, CONCLUDED AND ADJOURNED DURING THE CALENDAR YEAR 1971.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the acts of the House of Representatives and the Senate for the Organizational Session of 1971 and all Special Sessions of 1971 which are convened, concluded and adjourned during the calendar year 1971 be reserved and printed and bound with the acts of the House of Representatives and Senate for the Regular Session of 1971.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 63, was adopted.

Also:

By Messrs. Mims and Warren:

H. J. R. 64. CONGRATULATING MONROE ACADEMY FOR WINNING THE ALABAMA ASSOCIATION OF PRIVATE SCHOOL FOOTBALL CHAMPIONSHIP.

WHEREAS the Monroe Academy football team "The Volunteers" defeated Southern Academy of Greensboro 16–6 to win the Alabama Private School Athletic Association Champtionship; and

WHEREAS this is the second consecutive year that Monroe Academy has won the Alabama State Championship for Private Schools; and

WHEREAS this state championship football team displayed fantastic ability and dedication throughout the season; and

WHEREAS Monroe Academy has now won 26 consecutive games over the past two seasons; and

WHEREAS this state championship displayed a powerful offense and an aggressive defense; and

WHEREAS this great feat was achieved under the leadership of Head Coach S. M. "Mac" Champion Jr., one of the most outstanding coaches in the history of southern high school football; and

WHEREAS throughout this unbeaten championship season the volunteers played exciting football and thrilled fans throughout the state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature offers its warmest congratulations to the Monroe Academy football team for winning the Alabama Association of Private Schools Football Championship.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the football team, Coach and Headmaster S. M. "Mac" Champion, Jr., and the Monroeville Quarterback Club.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 64, on the Clerk's desk for one legislative day.

Also:

By Mr. McCorquodale:

H. J. R. 65. TO ADD A NEW MEMBER TO THE HEALTH STUDY COMMISSION CREATED BY ACT NO. 2226, S. J. R. 70, APPROVED OCTOBER 1, 1971, WHO SHALL BE A LICENSED OPTOMETRIST APPOINTED BY THE ALABAMA OPTOMETRIC ASSOCIATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a licensed optometrist, who shall be appointed by the Alabama Optometric Association, shall be the 14th member on the Health Study Commission created by Act No. 2226, S. J. R. 70, approved October 1, 1971, Regular Session of the Alabama Legislature 1971.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 65, was adopted.

Yeas 44; Nays 8.

Yeas:

Messrs.:	Chesnut	Lutz	Reed (T)
Adams	Coshatt	McCluskey	Reid (R)
Baker	Cottingham	McCorquodale	Reynolds
Bassett	Downing	McDonald	Robertson
Benton	Edwards	Mathews	Smith (P)
Boles	Goodwin	May	Snell
Boutwell	Gray (F)	Merrill	Stokes
Bowers	Hale	Mims	Straiton
Brassell	Hardin	Parker (T)	Therrell
Burgess	Jones (F)	Perloff	Waldrop
Carnes	Kinsey	Pruitt	Weeks
Carter			—44

Nays:

Mr. Speaker	Crowe	Hill	Parker (H)
Barkett	Dill	Jones (E)	Williams
			—8

RESOLUTION ADOPTED

The resolution, H. J. R. 65, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 98. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census,

to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Criminal Cases in such Courts after the expiration of Ten years from the date of final Judgments, but no authority is given herein to destroy the Conslidated Docket and Fee Book Sheets, Final Record Books or the Indices in such Cases.

Also:

H. 120. To amend Section 2 of Act No. 821 of the 1971 Regular Session of the Legislature of Alabama; to provide that the provisions of this amendatory Act shall be retroactive to September 7, 1971.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Waggoner:

H. J. R. 66. MOURNING THE DEATH OF R. D. JORDAN

WHEREAS the legislature is grieved to learn of the recent death of R. D. Jordan, age 78, of Birmingham; and

WHEREAS R. D. Jordan, a native of Crenshaw County, was retired from the Alabama Highway Department in 1963 after 40 years' service, including four as chief engineer; and

WHEREAS R. D. Jordan used his keen mind to earn both his Bachelor of Science and his master's degrees in engineering from Auburn University; and

WHEREAS steeped in the finest tradition of American Patriotism he served his country gallantly during World War I as a first lieutenant with the Corps of Engineers; and

WHEREAS R. D. Jordan's devotion and diligence earned the respect and admiration of a grateful nation for his military efforts; and

WHEREAS R. D. Jordan contributed immeasurably to the enrichment of our social, cultural and economic lives; and

WHEREAS R. D. Jordan was a gentle individual who demonstrated a sensitivity and responsiveness to his fellowmen; and

WHEREAS R. D. Jordan served the Alabama Highway Department with integrity and zeal; and

WHEREAS this legislature would like to pay tribute to this great and

humble man who made significant and lasting contributions to his country and the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this legislature mourns the death of R. D. Jordan and extends its heartfult sympathy to his family on their irreparable loss.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 66, on the Clerk's desk for one legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 50. Mourning the death of Roberts Henry Brown.

Also:

H. J. R. 52. Mourning the death of Reverend David W. Lewis, Pastor of the Five Points Baptist Church, Northport, Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 7. To repeal Section 10, and to amend Sections 2, 4, 9, 11, 12 and 16, of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by revising the methods of budgeting and financing of said office.

Also:

S. 59. To authorize the county governing bodies in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to enter into contracts and agreements with

the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Also:

S. 60. To Amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

Also:

S. 65. To amend Section 10 of Act No. 211, Regular Session 1945, approved July 7, 1945, (General Acts of Alabama 1945, p. 330), which relates to public hospitals, so as to provide an alternative form of selecting the directors of certain public hospital associations.

Also:

S. 68. To authorize the Department of Conservation and Natural Resources to comply with Public Law 91-646, known as the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970.

Also:

S. 72. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to provide an additional clerk-hire allowance for the tax assessor of such counties.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 40. Relating to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operation of schools and solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Department of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from

decisions of the Alabama State Department of Education and providing penalties for violations.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Turnham, Brassell and Adams (With Notice and Proof):

H. 192. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

Local Legislation No. 1.

Notice and Proof H. 192.

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the Court of Common Pleas of Lee County, with the approval of the county governing body, may appoint one full-time juvenile court officer to conduct investigations and make reports in juvenile cases and to perform such other duties as the judge may require. Such juvenile court officer need not possess the qualifications prescribed by law for probation officers. The judge may also, with the approval of the county governing body, appoint such probation officers, possessing all the qualifications pre-

scribed by law for probation officers, as are needed for the proper functioning of the juvenile court. The compensation of the juvenile court officer and the probation officers shall be fixed by the judge, subject to the approval of the county governing body; but the compensation of the juvenile court officer shall be a salary of not less than $8,200 nor more than $10,000 per year, and the compensation of each probation officer shall be a salary of not less than $8,200 nor more than $10,000 per year. Such salaries shall be payable out of the county's treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

Section 2. The judge of such court may also, with the approval of the county governing body, employ and fix the compensation of such clerks, stenographers and other assistants and employees as are reasonably needed for the proper and orderly functioning and operation of the court. Included among such employees shall be a court reporter and a stenographer or other assistant for the judge of the court. The court reporter shall possess all the qualifications and perform all the same duties relative to the Court of Common Pleas that are prescribed by law for and required of court reporters for the circuit courts. The court reporter shall be entitled to a salary of not less than $8,200 nor more than $10,000 per annum; and the secretary or other assistant to the judge shall be entitled to a salary of not less than $4,800 nor more than $8,000 per annum. The compensation of all such clerks, stenographers and other assistants shall be paid out of the county treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

Section 3. The county governing body of Lee County may also provide for furnishing such automobile and other supplies and equipment as are reasonably needed; by the juvenile court officer and the probation officer or officers, as the case may be, and such equipment as needed by the court. The county governing body of Lee County may also provide for paying the maintenance and operating expenses of all such automobiles as are furnished. Such governing body may also defray the reasonable expenses of the judge and any other officer or employee of the Court of Common Pleas incurred in attending any conference, seminar or professional convention relative to the duties, powers and functions of the Court of Common Pleas or the officers thereof.

Section 4. The judge of the Court of Common Pleas of Lee County may receive out of the county treasury of Lee County an expense allowance of not less than $4,500 nor more than $5,500 per year, the exact amount of which shall be fixed by the county governing body. Such expense allowance shall be in addition to any salary or expense allowance heretofore or hereby provided for him by law.

Section 5. The salaries paid to any officer or employee of the Court of Common Pleas of Lee County pursuant to Sections 1 and 2 of this Act shall be the only salaries payable out of the county treasury of Lee County for compensation of such officers or employees; and the provision of any law authorizing and providing for an allowance for clerk-hire or secretarial assistance or other expenses of the court is superseded by the provisions of this Act.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws and parts of laws in conflict herewith are repealed;

and those provisions of Act No. 242, H. 678 of the Regular Session of 1949 (Acts of 1949, p. 361), as amended, which conflict herewith are hereby specifically repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF LEE

Before me Dorothy W. Mitchell, a Notary Public, Lee County, Alabama, personally appeared Millard B. Grimes, who being duly sworn, deposes and says as follows:

I am co-publisher of the Opelika-Auburn Daily News, that the above advertisement was published four times Nov. 26, Dec. 3, 9, 13, 1971, in the Opelika-Auburn Daily News, a newspaper published in Lee County, Alabama.

MILLARD B. GRIMES.

Sworn and subscribed to me this 13th day of Dec., 1971.

DORTHY W. MITCHELL,
Notary Public.

By Mr. Snell:

H. 193. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

Insurance.

By Messrs. Burgess, Merrill and Stewart:

H. 194. To amend Section 6 of Act No. 2182, H. 2753, 1971 Regular Session, approved October 1, 1971, which Act provides a civil service system for the city of Jacksonville in Calhoun County, so as to provide further for compensation of the members of the civil service board.

Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Hobbie, Callahan and Waggoner:

H. J. R. 67.

CONGRATULATING REPRESENTATIVE AND MRS. JAMES D. HARRIS, JR. ON THE BIRTH OF THEIR DAUGHTER

WHEREAS ON DECEMBER 9, 1971, OUR DISTINGUISHED COLLEAGUE, REPRESENTATIVE JAMES D. HARRIS, JR. WAS PRE-

SENTED A LOVELY BABY DAUGHTER BY HIS WIFE, MRS. JEAN BOOKS HARRIS, AND

WHEREAS, THEY HAVE GIVEN TO THEIR DAUGHTER THE NAME, STEWART KATHERINE, AND

WHEREAS, WE SHARE OUR COLLEAGUES JOY AT THIS ADDITION TO HIS FAMILY; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, THE REPRESENTATIVE AND MRS. HARRIS ARE HEREBY CONGRATULATED ON THE BIRTH OF THEIR NEW DAUGHTER.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. J. R. 67, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:
By Mr. Owen:

S. J. R. 24. BE IT RESOLVED BY THE LEGISLATURE OF ALBAMA, BOTH HOUSES THEREOF CONCURRING That the legislative membership on the Science, Engineering, and Technology Study Commission, created by Act 6, S. J. R. 2, 2nd Special Session, 1971, be increased as follows: 2 additional members of the Senate appointed by the President of the Senate; 2 additional members of the House of Representatives appointed by the Speaker of the House.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 24, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Ellis, McBride, Boles, Timmons, Parker (H), Robertson, Parker (T), Culver, Burgess, Stubbs, Turner, Owens and Cottingham:

H. R. 68. WHEREAS, it has come to the attention of this House that a Federal District Judge, Judge Sam C. Pointer, Jr., of Birmingham, Alabama, did on Friday, December 3, 1971, hold Act Number 1418, (The Anti-Busing Law), to be unconstitutional; and

WHEREAS, in the chronology of his Memorandum Opinion, Judge Pointer wrote:

"November 24, 1971. Notice given by federal district court to Governor and Attorney General of Alabama that a ruling would be deferred until De-

cember 3, 1971, to permit filing of briefs or memoranda in support of the constitutionality of Act No. 1418. (Briefs have not been filed.)"; and

WHEREAS, the notice to file briefs was not received in the Governor's Office until November 30th and was immediately referred to the Attorney General to prepare a brief to uphold the constitutionality of this Act of the Legislature; and

WHEREAS, a State Circuit Judge upheld the constitutionality of this Act before Judge Pointer's decision on December 3, 1971; and

WHEREAS, the State Court suit was not removed to the Federal Court as shown by the Memorandum Opinion of Judge Pointer (Pages 3 and 4); and

WHEREAS, without a proper petition being filed by any real party in interest Judge Pointer arrogated into himself jurisdiction over a State statute; and

WHEREAS, a ten-page Opinion signed by Judge Pointer was filed in the Office of the Clerk, U. S. District Court in Birmingham on December 3 before the time for filing briefs had expired, a copy of which Opinion was received in the Governor's Office on the morning of December 4th.

NOW, THEREFORE, BE IT RESOLVED That the House of Representatives does hereby deplore the action of Judge Pointer in filing a ten-page Memorandum Opinion and Order declaring unconstitutional an Act of the Legislature of Alabama before briefs could be filed in a case that was not then pending in his Court.

BE IT FURTHER RESOLVED That Honorable James O. Eastland, Chairman of the U. S. Senate Judiciary Committee be requested to appoint a sub-committee to investigate the conduct and action of U. S. District Judge Sam C. Pointer, Jr., in summarily striking down the law of a sovereign State in a proceeding that was not pending in his Court, which Opinion clearly indicates could not have been prepared by a battery of ten lawyers working diligently for a period of twenty-four to forty-eight hours prior to the time it was filed and which clearly shows that this Judge had already prejudged the case and had prepared this Opinion long before the date on which it was filed in the Clerk's Office.

The motion of Mr. Ellis to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 68, was lost, lacking a four-fifths vote.

Yeas 51; Nays 16.

Yeas:

Mr. Speaker	Chesnut	Edwards	McBride
Adams	Collins	Ellis	McCorquodale
Barkett	Connell	Grey (D)	Mathews
Bassett	Cottingham	Hardin	May
Benton	Crawford	Headley	Merrill
Boles	Cross	Hobbie	Mims
Brassell	Culver	Jackson	Naramore
Burgess	Dill	Jones (F)	O'Daniel
Callahan	Downing	Kinsey	Owens
Carter	Drake	Lang	Parker (T)

Perloff	Snell	Turner	Williams	
Pruitt	Stubbs	Waggoner	Wise	
Robertson	Timmons	Warren		—51

Nays:

Messrs.:	Cherner	Hill	Reed (T)	
Baker	Doss	Lutz	Slate	
Boutwell	Gray (F)	McDonald	Stokes	
Carnes	Hale	Meeks	Waldrop	
Cauthen				—16

And the resolution, H. R. 68, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 66. To make supplemental appropriations to the Dairy Commission for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. J. R. 38. Mourning the death of Roland Ellis Goodwin.

Also:

H. J. R. 46. Mourning the death of Gordon L. Robertson, prominent Alabama businessman.

Also:

H. J. R. 47. Commending Tommy Yearout for winning All Southeastern Conference honors and All American honors.

Also:

H. J. R. 51. Congratulating the Abbeville High School Football Team for being crowned co-champions of Alabama High School Football for Class 2-A.

Also:

H. J. R. 56. Commending the celebration of the sesquicentennial of Covington County—December 7, 1821–1971 and the establishment of the first post office and county seat at Montezuma.

Also:

H. J. R. 58. Mourning the death of Dr. William Pratt Dale, II.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Burgess, Brassell, Turnham, Stubbs, Ellis, Culver, Parker (T), Turner, Owens, Cottingham and Drake:

H. J. R. 69. URGING THE BANDS OF BOTH ALABAMA AND AUBURN TO PLAY DIXIE AT THEIR RESPECTIVE BOWL GAMES AND REQUESTING AUTHORITIES OF EACH BOWL TO HAVE AN INVOCATION GIVEN.

WHEREAS the sovereign State of Alabama is singularly honored at the close of this momentous year by the emergence of two of its great universities as football powers of, not only the southeast, but of the entire United States; and

WHEREAS these two fine institutions symbolize both everything that is Southern, reflecting the South's past, present and portentous future, and everything that is American, being composed of students from all parts of this great land; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the bands of both the University of Alabama and the University of Auburn be requested to play "Dixie" at half time at both the Orange Bowl and the Sugar Bowl, in tribute to the heritage and tradition that gave birth to these fine institutions.

BE IT FURTHER RESOLVED, That the authorities at both the Orange Bowl and the Sugar Bowl be requested to conduct an invocation to Almighty God in recognition of the great power which controls the destiny of mankind and this great republic.

The motion of Mr. Burgess to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 69, was adopted.

Yeas 50; Nays 11.

Yeas:

Mr. Speaker	Cottingham	Jones (E)	Robertson
Barkett	Crawford	Kinsey	Slate
Boles	Cross	Lutz	Stubbs
Boutwell	Culver	McCorquodale	Timmons
Brassell	Dill	May	Turner
Burgess	Downing	Merrill	Turnham
Callahan	Drake	Mims	Waggoner
Carnes	Ellis	Naramore	Wallace
Carter	Goodwin	O'Daniel	Warren
Cauthen	Grey (D)	Owens	Weeks
Collins	Headley	Parker (T)	Williams
Connell	Hobbie	Reynolds	Wise
Coshatt	Jackson		—50

Nays:

Messrs.:	Hill	Parker (H)	Stokes
Baker	McBride	Perloff	Therrell
Gray (F)	McDonald	Reed (T)	Waldrop

—11

On motion of Mr. Burgess, the resolution, H. J. R. 69, was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Reed (T) that the House adjourn until 2:00 o'clock p. m., Tuesday, December 21, 1971, was lost.

BILLS ON THIRD READING

And the bill, S. 5, having been postponed from the Seventh Legislative Day:

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Kinsey	St. John
Adams	Cross	Lang	Slate
Adwell	Culver	Lutz	Smith (K)
Baker	Dill	McBride	Smith (P)
Barkett	Doss	McCluskey	Snell
Bassett	Downing	McCorquodale	Stokes
Benton	Drake	McDonald	Straiton
Boles	Edwards	Mathews	Stubbs
Boutwell	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Gray (F)	Merrill	Timmons
Callahan	Grey (D)	Mims	Turner
Carnes	Hale	Naramore	Turnham
Carter	Hardin	O'Daniel	Waggoner
Cauthen	Harris	Owens	Waldrop
Cherner	Headley	Perloff	Wallace
Chesnut	Hill	Pruitt	Warren
Collins	Hobbie	Reed (T)	Weeks
Connell	Jackson	Reid (R)	Williams
Coshatt	Jones (E)	Reynolds	Wise
Cottingham	Jones (F)		

—82

And the bill:

H. 181. To provide for the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census, and repealing Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, and other laws conflicting herewith.

Was taken up.

Mr. Reynolds offered the following amendment.

Section 4 of H. 181 is deleted in its entirety and the following is inserted in lieu thereof, viz:

Section 4. The provisions of Section 2 of this Act shall become operative only if approved by a majority of the qualified electors of the county to which this Act applies voting in a referendum to be held for that purpose. The referendum shall be held on the same day as the first county-wide primary, general, or special election held in the county after the passage of this Act. The county governing body of said county shall order and provide for holding the referendum on such date. On the ballot to be used in the referendum the question shall be stated substantially as follows: "Do you wish the members of the county jury commission, board of registrars, tax equalization board and bailiffs to receive an increase in pay as provided for it by Section 2 of Act No. ....., H. 181, of the 1971 Third Special Session of the Legislature? Yes ( ) No ( )" If a majority of the votes cast at said referendum are "Yes," then the provisions of Section 2 of this Act shall become effective immediately. If a majority of the votes cast in the referendum on this Act are "No," the provisions of Section 2 shall have no further effect; except that the judge of probate of said county shall certify the results of the referendum to the Secretary of State within 30 days after the determination thereof.

The provisions of Section 3 of this Act shall become effective immediately after the election provided for above shall be held and said Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, shall be repealed regardless of the outcome of said election.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	Reynolds
Adams	Dill	Lutz	Robertson
Baker	Downing	McBride	Slate
Barkett	Drake	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	Mathews	Snell
Boles	Goodwin	May	Stokes
Boutwell	Grainger	Meeks	Straiton
Bowers	Gray (F)	Merrill	Taylor
Brassell	Grey (D)	Mims	Therrell
Callahan	Hale	Naramore	Timmons
Carnes	Hardin	O'Daniel	Turner
Carter	Harris	Owens	Waggoner
Cherner	Hill	Parker (H)	Waldrop
Chesnut	Hobbie	Perloff	Wallace
Connell	Jackson	Pruitt	Warren
Coshatt	Jones (E)	Reed (T)	Williams
Cottingham	Jones (F)	Reid (R)	Wise
Cross	Kinsey		

—74

And the bill, H. 181, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adams	Culver	Lang	Reynolds
Adwell	Dill	Lutz	Robertson
Baker	Downing	McBride	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stokes
Boles	Goodwin	Mathews	Straiton
Boutwell	Grainger	May	Taylor
Bowers	Gray (F)	Meeks	Therrell
Brassell	Grey (D)	Merrill	Timmons
Callahan	Hale	Mims	Turner
Carnes	Hardin	Naramore	Turnham
Carter	Harris	O'Daniel	Waggoner
Cherner	Hill	Owens	Waldrop
Chesnut	Hobbie	Parker (H)	Wallace
Connell	Jackson	Perloff	Warren
Coshatt	Jones (E)	Pruitt	Weeks
Cottingham	Jones (F)	Reed (T)	Wise
Crawford			

—77

And the bill:

S. 36. Relating to counties having a population of not less than 24,000 nor more than 24,800 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Edwards	Kinsey
Adams	Cherner	Ellis	Lang
Adwell	Chesnut	Goodwin	Lutz
Baker	Collins	Grainger	McBride
Barkett	Connell	Gray (F)	McCluskey
Bassett	Coshatt	Grey (D)	McCorquodale
Benton	Cottingham	Hale	McDonald
Boles	Crawford	Hardin	Mathews
Boutwell	Cross	Harris	May
Bowers	Crowe	Headley	Meeks
Brassell	Culver	Hill	Merrill
Burgess	Dill	Hobbie	Mims
Callahan	Doss	Jackson	Naramore
Carnes	Downing	Jones (E)	O'Daniel
Carter	Drake	Jones (F)	Owens

Parker (H)	Robertson	Stubbs	Waldrop
Parker (T)	Slate	Taylor	Wallace
Perloff	Smith (K)	Therrell	Warren
Pruitt	Smith (P)	Timmons	Weeks
Reed (T)	Snell	Turner	Williams
Reid (R)	Stokes	Turnham	Wise
Reynolds	Straiton	Waggoner	—87

And the bill:

S. 53. To amend Section 2 and to repeal Sections 3, 4, 6, and 7 of Act No. 1912, H. 2045, Regular Session 1971, which act provided salaries and clerical assistance for certain officers of counties having a population of not less than 39,500 nor more than 41,750, and to make the amendment retroactive to October 1, 1971.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Crowe	Lang	Slate
Baker	Culver	Lutz	Smith (K)
Barkett	Dill	McBride	Smith (P)
Bassett	Doss	McCluskey	Snell
Benton	Downing	McCorquodale	Stokes
Boles	Drake	McDonald	Straiton
Boutwell	Edwards	Mathews	Stubbs
Bowers	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Cherner	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	—87

And the bill:

S. 54. (With Amendment): To amend Act No. 439, S. 731, Regular Session 1971, approved August 26, 1971, which act provides for the operating expenses of certain county officers, in counties having a population of not less 39,500, nor more than 41,750, by providing said expenses for the circuit clerk in such counties, retroactive to October 1, 1971.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend the title of Senate Bill No. 54 by adding after the word "less" and before the figures "39,500" the following word: "than".

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Crowe	Lang	Slate
Baker	Culver	Lutz	Smith (K)
Barkett	Dill	McBride	Smith (P)
Bassett	Doss	McCluskey	Snell
Benton	Downing	McCorquodale	Stokes
Boles	Drake	McDonald	Straiton
Boutwell	Edwards	Mathews	Stubbs
Bowers	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Cherner	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	

—87

And the bill, S. 54, as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Crowe	Lang	Slate
Baker	Culver	Lutz	Smith (K)
Barkett	Dill	McBride	Smith (P)
Bassett	Doss	McCluskey	Snell
Benton	Downing	McCorquodale	Stokes
Boles	Drake	McDonald	Straiton
Boutwell	Edwards	Mathews	Stubbs
Bowers	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Cherner	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	

—87

And the bill:

H. 183. To amend Act No. 1878, H. 2122, Regular Session 1971, which provides for the establishment and operation of family court divisions in circuit courts of all counties having populations of not less than 175,000

nor more than 300,000, and providing for the selection and compensation of their officers, and administrative personnel, so as to provide further for the selection of the judge of said division and the compensation of his bailiff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Crowe	Lang	Slate
Baker	Culver	Lutz	Smith (K)
Barkett	Dill	McBride	Smith (P)
Bassett	Doss	McCluskey	Snell
Benton	Downing	McCorquodale	Stokes
Boles	Drake	McDonald	Straiton
Boutwell	Edwards	Mathews	Stubbs
Bowers	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Cherner	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	—87

And the bill:

H. 53. To authorize any county having a population of 600,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the county suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, any city located in the county, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such county may be joint lessee with any other municipality in such county and that the obligations of any such county may be individual and separate or joint and several, to provide that the obligation of any such county under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such county under any such lease or contract in the budget of such county and that any such county shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, to provide that the approval of such lease or contract of lease by the governing body of any such county shall be sufficient and that no other approval, registration, audit or allowance shall be required, and to exempt any such contract or lease from all

taxation, from the provisions of Chapter 6 of Title 12 of the Code of Alabama of 1940, as amended, and all other provisions of law with respect thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Crowe	Lang	Slate
Baker	Culver	Lutz	Smith (K)
Barkett	Dill	McBride	Smith (P)
Bassett	Doss	McCluskey	Snell
Benton	Downing	McCorquodale	Stokes
Boles	Drake	McDonald	Straiton
Boutwell	Edwards	Mathews	Stubbs
Bowers	Ellis	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Cherner	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Collins	Hill	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reed (T)	Wise
Cottingham	Jones (E)	Reid (R)	—87

MOTION TO RECESS LOST

The motion of Mr. Gloor that the House recess until 4:30 o'clock this evening, was lost.

Yeas 29; Nays 38.

Yeas:

Mr. Speaker	Headley	Merrill	Straiton
Brassell	Jones (E)	Mims	Stubbs
Chesnut	Jones (F)	O'Daniel	Therrell
Cottingham	Kinsey	Parker (H)	Turner
Crawford	Lutz	Perloff	Turnham
Culver	McCorquodale	Robertson	Warren
Ellis	Mathews	Slate	Williams
Gloor			—29

Nays:

Messrs.:	Boutwell	Dill	Harris
Adams	Carnes	Doss	Hill
Baker	Carter	Downing	McBride
Barkett	Cherner	Goodwin	McCluskey
Bassett	Connell	Grey (D)	May
Benton	Cross	Hale	Meeks
Boles	Crowe	Hardin	Naramore

Parker (T)	Smith (P)	Timmons	Wallace	
Reid (R)	Snell	Waggoner	Weeks	
Reynolds	Stokes	Waldrop		—38

BILLS ON THIRD READING RESUMED

And the bill, H. 82 with pending amendment, having been postponed from the Seventh Legislative Day:

To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82, with pending amendment, was postponed to the Tenth Legislative Day.

And the bill, H. 67, having been postponed from the Seventh Legislative Day:

Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Was taken up.

H. 67 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was postponed to the Tenth Legislative Day.

And the bill, H. 115, having been postponed from the Seventh Legislative Day:

To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Was taken up.

H. 115 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 115, was postponed to the Tenth Legislative Day.

And the bill, H. 179, having been postponed from the Seventh Legislative Day:

To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said

commission to the Alabama Commission on Higher Education, and to make certain other changes.

Was taken up.

H. 179 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 179, was postponed to the Tenth Legislative Day.

And the bill, H. 172 with pending substitute, having been postponed from the Seventh Legislative Day:

To provide that any person who is qualified to vote an absentee ballot at any election held in this State because of attendance at an institution of higher learning outside of the county of his residence, or the spouse or child of such person, shall automatically be mailed an absentee ballot before each election.

Was taken up.

The question, then, was on the adoption of the substitute previously offered by Messrs. Hale and King, and the substitute was adopted.

Yeas 44; Nays 17.

Yeas:

Messrs.:	Cross	McBride	Robertson
Baker	Culver	McCluskey	Slate
Bassett	Downing	McDonald	Smith (P)
Boutwell	Edwards	May	Stokes
Brassell	Ellis	Meeks	Straiton
Carnes	Goodwin	Merrill	Taylor
Carter	Gray (F)	Naramore	Turner
Cherner	Hardin	Owens	Turnham
Connell	Hill	Parker (T)	Waldrop
Coshatt	Jones (F)	Reed (T)	Wallace
Cottingham	Lutz	Reid (R)	Weeks
Crawford			—44

Nays:

Mr. Speaker	Drake	O'Daniel	Reynolds
Boles	Gloor	Parker (H)	Stubbs
Collins	Hobbie	Perloff	Therrell
Dill	Kinsey	Pruitt	Timmons
Doss			—17

Mr. Hale offered the following amendment to the bill, H. 172, as amended:

In Section 1 delete the first sentence in its entirety and insert in lieu thereof the following:

All college students, their spouses and children, with them at the location of the college who wish to vote absentee in any election year shall so notify the board of registrars in their county of registration, and such notice shall be accompanied by a statement from the college registrar that such persons are students or the spouses or the children of students and the address to which the ballot shall be mailed shall be stated.

In the third sentence after the word spouses add the following: or children

In the last sentence of Section 1 after the word spouse add the following: or child

Also, in Section 2, at the end of the last sentence add the following:

In the case of primary elections, a ballot for each political party holding a primary election shall be mailed. The student, spouse or child receiving said ballots shall complete only one ballot. He shall return all ballots he receives. If he fails to return all of said ballots or if he incorrectly completes the ballot he casts his vote will be invalidated.

MOTION TO POSTPONE TABLED

On motion of Mr. Hale, the motion of Mr. Lutz to postpone the bill, H. 172, as amended, to the Tenth Legislative Day, was tabled.

Yeas 38; Nays 33.

Yeas:

Messrs.:	Culver	McCluskey	Smith (P)	
Adams	Edwards	Mathews	Snell	
Baker	Goodwin	May	Stokes	
Bassett	Gray (F)	Naramore	Straiton	
Boutwell	Grey (D)	Parker (H)	Stubbs	
Brassell	Hale	Parker (T)	Taylor	
Carnes	Hardin	Reed (T)	Turner	
Cherner	Hill	Reid (R)	Turnham	
Chesnut	Lang	Reynolds	Waldrop	
Connell	McBride	Robertson		—38

Nays:

Mr. Speaker	Doss	Kinsey	Pruitt	
Adwell	Downing	Lutz	Smith (K)	
Boles	Drake	Manley	Therrell	
Burgess	Ellis	Meeks	Timmons	
Callahan	Gloor	Merrill	Wallace	
Carter	Grainger	O'Daniel	Warren	
Cauthen	Jackson	Owens	Weeks	
Crawford	Jones (E)	Perloff	Williams	
Dill				—33

The question then, was on the adoption of the amendment offered by Mr. Hale to the bill, H. 172, as amended, and the amendment was adopted.

Yeas 58; Nays 6.

Yeas:

Messrs.:	Carnes	Doss	Gray (F)
Adams	Carter	Downing	Grey (D)
Baker	Cauthen	Drake	Hale
Bassett	Chesnut	Edwards	Hardin
Boutwell	Connell	Ellis	Hill
Brassell	Coshatt	Gloor	Hobbie
Burgess	Crawford	Goodwin	Jackson
Callahan	Culver	Grainger	Lang

Lutz	Naramore	Robertson	Therrell	
McBride	Owens	Smith (P)	Turnham	
McCluskey	Parker (T)	Snell	Waldrop	
McCorquodale	Perloff	Stokes	Wallace	
May	Reed (T)	Straiton	Warren	
Merrill	Reid (R)	Stubbs	Weeks	
Mims	Reynolds	Taylor		—58

Nays:

Mr. Speaker	Dill	Timmons	Williams	
Boles	Pruitt			—6

Mr. Weeks offered the following amendment to the bill:

To further prescribe that all personnel in the active military service shall be put on the permanent absentee list when request in writing is received from eligible voter attached to military duty.

And the amendment was adopted.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker	Dill	Lang	Reynolds	
Adams	Doss	Lutz	Robertson	
Bassett	Downing	McBride	Smith (K)	
Boutwell	Drake	Manley	Snell	
Brassell	Edwards	May	Stokes	
Burgess	Gloor	Meeks	Straiton	
Callahan	Goodwin	Merrill	Stubbs	
Carnes	Grainger	Mims	Therrell	
Carter	Gray (F)	Naramore	Timmons	
Cauthen	Grey (D)	Owens	Turnham	
Cherner	Hardin	Parker (H)	Waldrop	
Chesnut	Hill	Perloff	Wallace	
Connell	Hobbie	Pruitt	Warren	
Coshatt	Jones (E)	Reed (T)	Weeks	
Crawford	Kinsey	Reid (R)	Williams	
Cross				—61

Nays: Messrs.: Baker and Culver —2

And the bill, H. 172, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 11.

Yeas:

Messrs.:	Carter	Downing	Headley
Adams	Cauthen	Drake	Hill
Baker	Cherner	Edwards	Hobbie
Barkett	Chesnut	Ellis	Jackson
Bassett	Connell	Goodwin	Lang
Benton	Coshatt	Grainger	Lutz
Boutwell	Crawford	Gray (F)	McBride
Brassell	Cross	Grey (D)	McCluskey
Burgess	Culver	Hale	McCorquodale
Carnes	Doss	Hardin	May

Merrill	Reed (T)	Stokes	Turnham	
Mims	Reid (R)	Straiton	Waldrop	
Naramore	Reynolds	Stubbs	Wallace	
Owens	Robertson	Taylor	Warren	
Parker (H)	Smith (P)	Therrell	Weeks	
Parker (T)	Snell	Turner		—62

Nays:

Mr. Speaker	Dill	Meeks	Smith (K)	
Boles	McDonald	Perloff	Timmons	
Callahan	Manley	Pruitt		—11

RESOLUTION

The following resolution was introduced:

By Messrs. Warren, Mims and May:

H. J. R. 70. MOURNING THE DEATH OF THOMAS LANE BUTTS, SR.

WHEREAS the legislature is grieved to learn of the recent death of Thomas Lane Butts, Sr., age 70, of Bermuda, Alabama; and

WHEREAS Thomas Lane Butts, Sr. was a warm and kind man who was much beloved by his fellowmen; and

WHEREAS Thomas Lane Butts, Sr. was an emissary of good will throughout his long and full life; and

WHEREAS Thomas Lane Butts, Sr. was an inspiration to all those with whom he labored; and

WHEREAS our lives were enriched and enobled by this gentle man; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF AALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of Thomas Lane Butts, Sr. and extends its condolences to his family for this irreparable loss.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to his wife, Mrs. Janie Pauline Butts; three sons, Reverend T. L. Butts, Jr., Aubrey Lee Butts and Royce Harold Butts; and two daughters, Mrs. Lois Elinor Burt and Mrs. Janice Ruth Hatten.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 70, on the Clerk's desk for one legislative day.

And the bill:

S. 1. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cross	Lutz	Robertson
Adams	Culver	McBride	Slate
Adwell	Dill	McCluskey	Smith (K)
Baker	Doss	McCorquodale	Smith (P)
Barkett	Downing	Manley	Snell
Bassett	Drake	Mathews	Stokes
Benton	Edwards	May	Straiton
Boles	Ellis	Meeks	Stubbs
Boutwell	Goodwin	Merrill	Taylor
Brassell	Grainger	Mims	Therrell
Burgess	Gray (F)	Naramore	Timmons
Callahan	Grey (D)	O'Daniel	Turner
Carnes	Hale	Owens	Turnham
Carter	Hardin	Parker (T)	Waldrop
Cauthen	Hill	Perloff	Wallace
Chesnut	Hobbie	Pruitt	Warren
Connell	Jackson	Reed (T)	Weeks
Coshatt	Jones (E)	Reid (R)	Williams
Cottingham	Kinsey	Reynolds	Wise
Crawford	Lang		—78

RECESS

On motion of Mr. Lyons, the House recessed until 5:00 o'clock this evening.

Yeas 47; Nays 32.

Yeas:

Mr. Speaker	Culver	Manley	Smith (K)
Baker	Downing	Mathews	Stokes
Benton	Drake	Merrill	Straiton
Boles	Edwards	Mims	Stubbs
Bowers	Ellis	O'Daniel	Taylor
Brassell	Gloor	Parker (H)	Turner
Burgess	Hobbie	Parker (T)	Turnham
Callahan	Jackson	Perloff	Warren
Cauthen	Jones (E)	Pruitt	Weeks
Cherner	Kinsey	Reynolds	Williams
Chesnut	Lutz	Robertson	Wise
Collins	McCorquodale	Slate	—47

Nays:

Messrs.:	Coshatt	Hale	Naramore
Adams	Crawford	Hardin	Reed (T)
Adwell	Cross	Harris	Reid (R)
Barkett	Dill	Hill	Smith (P)
Bassett	Doss	McBride	Snell
Boutwell	Goodwin	McCluskey	Timmons
Carnes	Gray (F)	May	Waldrop
Carter	Grey (D)	Meeks	Wallace
Connell			—32

HOUSE RECONVENED

The hour of 5:00 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McLain:

S. 104. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled: "To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

Also:

By Mr. Shelby:

S. 107. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."

Also:

By Mr. Wilson:

S. 105. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Also:

By Messrs. Jones and Pierce:

S. 109. To amend Section 5 of Act No. 2280, S. 478, Regular Session

1971, approved October 1, 1971, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay to employees.

Also:

By Mr. Carr:

S. 118. Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

Also:

By Messrs. Owen, Edington, Noonan, Givhan and Pelham:

S. 102. To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 104. Standing Committee on Local Government.

S. 107. Standing Committee on Local Legislation No. 1.

S. 105. Standing Committee on Local Legislation No. 1.

S. 109. Standing Committee on Local Legislation No. 4.

S. 118. Standing Committee on Local Legislation No. 1.

S. 102. Standing Committee on Insurance.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 23. Commending the Marion County High School Red Raiders Football Team.

Also:

S. J. R. 24. Increasing the membership on the Science, Engineering and Technology Study Commission.

Also:

S. J. R. 25. Commending the Enterprise High School Band.

Also:

S. 5. To amend Section 35 of Act No. 30, approved May 31, 1963, relating to The Official Court Reporter For the County Court of Marshall County, Alabama.

Also:

S. 36. Relating to counties having a population of not less than 24,000 nor more than 24,800 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

S. 53. To amend Section 2 and to repeal Sections 3, 4, 6, and 7 of Act No. 1912, H. 2045, Regular Session 1971, which act provided salaries and clerical assistance for certain officers of counties having a population of not less than 39,500 nor more than 41,750, and to make the amendment retroactive to October 1, 1971.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning

House Bill Number 54 with a suggested Executive Amendment, as suggested by the Jefferson County Delegation.

Respectfully Submitted,

HARRY L. PENNINGTON,
Executive Secretary.

December 16, 1971

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 54 without my approval and with the following suggested Executive Amendment made by the local delegation:

(1) Amend the title of said House Bill Number 54 by inserting between the words "Act," and "and" the following:

"and to provide for the appointment of one director of such Authority by the members of the Alabama Legislature from such county"; and, also, by striking from the title the following words: "appointed by such principal municipality".

(2) Amend Section 1 of said House Bill Number 54 by striking the word "four" where the same appears in the third sentence of the proposed amendment to Section 7 of Act No. 993 proposed by said Section 1 and inserting in lieu thereof the word "five".

(3) Amend Section 1 of said House Bill Number 54 by inserting in the amendment to Section 7 of Act No. 993 proposed by said Section 1 between the fourth and fifth sentences thereof the following:

"One such director shall be elected by a majority vote of the members of the Alabama Legislature elected from the authorizing county."

(4) Amend Section 1 of said House Bill Number 54 by inserting in the amendment to Section 7 of Act No. 993 proposed by said Section 1 after the sentence ending with the words "Certificate of Incorporation of the Authority." an additional sentence as follows:

"The initial term of office of the director elected by the members of the Alabama Legislature from the authorizing county shall end at 12:01 o'clock A.M. on the fifth anniversary date of the filing for record of the Certificate of Incorporation of the Authority."

The adoption of the foregoing suggested Executive Amendment will remove my objection to this bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Adwell, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 54,

said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Kinsey	Robertson
Adams	Cottingham	Lang	Slate
Adwell	Cross	Lutz	Smith (P)
Baker	Crowe	McBride	Snell
Bassett	Culver	McCluskey	Stokes
Benton	Dill	McDonald	Straiton
Boles	Doss	Manley	Stubbs
Boutwell	Downing	Mathews	Therrell
Brassell	Edwards	May	Timmons
Callahan	Ellis	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	O'Daniel	Waggoner
Cauthen	Grey (D)	Owens	Waldrop
Cherner	Hale	Parker (H)	Wallace
Chesnut	Hardin	Parker (T)	Warren
Collins	Jackson	Perloff	Williams
Connell	Jones (E)	Pruitt	Wise

—68

Which was a majority of the whole number elected to the House.

And the bill:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the initial terms of office of such Directors appointed by such principal municipality.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	Naramore
Adams	Coshatt	Hardin	O'Daniel
Adwell	Cottingham	Hill	Owens
Baker	Cross	Jackson	Parker (H)
Bassett	Crowe	Jones (E)	Parker (T)
Benton	Culver	Kinsey	Perloff
Boles	Dill	Lang	Pruitt
Boutwell	Doss	Lutz	Reid (R)
Brassell	Downing	McBride	Robertson
Callahan	Edwards	McCluskey	Slate
Carnes	Ellis	McCorquodale	Smith (P)
Carter	Gloor	McDonald	Snell
Cauthen	Goodwin	Manley	Stokes
Cherner	Grainger	Mathews	Straiton
Chesnut	Gray (F)	May	Stubbs
Collins	Grey (D)	Mims	Therrell

Timmons	Waggoner	Wallace	Williams
Turner	Waldrop	Warren	Wise
Turnham			

—73

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 27. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the Senate adjourns December 16, it adjourn to meet again on Wednesday, January 5, 1972, and that when the House adjourns December 16, it adjourn to meet again on January 5, 1972.

BE IT FURTHER RESOLVED That such adjournment shall be without pay.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The motion of Mr. Gloor to suspend the rules in order to bring up for immediate consideration the S. J. R. 27, set out in the above and foregoing Message from the Senate was lost, lacking a four-fifths vote.

Yeas 45; Nays 27.

Yeas:

Mr. Speaker	Drake	Kinsey	Perloff
Baker	Edwards	Lang	Slate
Barkett	Ellis	Lutz	Smith (K)
Benton	Gloor	McCluskey	Smith (P)
Burgess	Grainger	McCorquodale	Snell
Callahan	Hale	McDonald	Stokes
Chesnut	Hardin	Mathews	Stubbs
Collins	Headley	May	Turner
Connell	Hill	O'Daniel	Turnham
Crawford	Hobbie	Owens	Williams
Cross	Jackson	Parker (T)	Wise
Downing			

—45

Nays:

Messrs.:	Cherner	Gray (F)	Straiton
Adams	Coshatt	Grey (D)	Therrell
Adwell	Crowe	Manley	Timmons
Boutwell	Culver	Naramore	Waggoner
Carnes	Dill	Parker (H)	Waldrop
Carter	Doss	Reid (R)	Wallace
Cauthen	Goodwin	Robertson	Warren

—27

And the resolution, S. J. R. 27, was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Gloor, the House recessed for five minutes.

Yeas 47; Nays 25.

Yeas:

Mr. Speaker	Cross	Kinsey	Pruitt	
Adams	Downing	Lutz	Slate	
Baker	Drake	McBride	Snell	
Barkett	Edwards	McCorquodale	Stokes	
Burgess	Ellis	McDonald	Stubbs	
Callahan	Gloor	Manley	Therrell	
Carter	Grainger	Mathews	Turner	
Cauthen	Hale	May	Turnham	
Chesnut	Hardin	O'Daniel	Waggoner	
Collins	Headley	Owens	Williams	
Connell	Hobbie	Parker (T)	Wise	
Crawford	Jackson	Perloff		—47

Nays:

Messrs.:	Culver	Lang	Smith (K)	
Adwell	Dill	Mims	Straiton	
Boutwell	Doss	Naramore	Timmons	
Carnes	Goodwin	Parker (H)	Waldrop	
Cherner	Gray (F)	Reid (R)	Wallace	
Coshatt	Grey (D)	Robertson	Warren	
Crowe	Hill			—25

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 68, and ordered same returned to the House with a favorable report.

On motion of Mr. Drake, the resolution, H. J. R. 68, was concurred in and adopted.

Yeas 39; Nays 14.

Yeas:

Mr. Speaker	Cross	Jackson	Robertson	
Barkett	Culver	Jones (F)	Snell	
Brassell	Dill	Kinsey	Stubbs	
Burgess	Downing	Lang	Therrell	
Callahan	Drake	McCorquodale	Timmons	
Carter	Edwards	Mathews	Turner	
Chesnut	Ellis	O'Daniel	Turnham	
Collins	Grainger	Owens	Waggoner	
Connell	Headley	Parker (T)	Williams	
Crawford	Hobbie	Perloff		—39

Nays:

Messrs.:	Carnes	Grey (D)	Parker (H)	
Adams	Cauthen	Hale	Stokes	
Baker	Cherner	Hill	Waldrop	
Boutwell	Gray (F)	Naramore		—14

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the resolution, S. J. R. 27, and ordered same returned to the House with a favorable report.

Mr. Drake moved that the House concur in and adopt the resolution, S. J. R. 27.

Mr. Carnes offered the following substitute to the resolution, S. J. R. 27:

Be It Resolved By The Legislature of Alabama, Both Houses Thereof Concurring, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, December 21, 1971.

SUBSTITUTE TABLED

On motion of Mr. Gloor, the substitute was tabled.

Yeas 42; Nays 31.

Yeas:

Mr. Speaker	Cross	Jones (E)	Parker (T)	
Baker	Downing	Jones (F)	Perloff	
Barkett	Drake	Kinsey	Slate	
Boles	Edwards	Lutz	Snell	
Brassell	Gloor	McCorquodale	Stokes	
Burgess	Grainger	McDonald	Stubbs	
Callahan	Hale	Manley	Therrell	
Cauthen	Hardin	Mathews	Turner	
Collins	Headley	O'Daniel	Waggoner	
Connell	Hill	Owens	Williams	
Crawford	Jackson			—42

Nays:

Messrs.:	Chesnut	Gray (F)	Robertson	
Adams	Coshatt	Grey (D)	Smith (K)	
Adwell	Crowe	Lang	Smith (P)	
Benton	Culver	McBride	Straiton	
Boutwell	Dill	McCluskey	Timmons	
Carnes	Doss	Naramore	Turnham	
Carter	Ellis	Parker (H)	Waldrop	
Cherner	Goodwin	Reid (R)	Warren	
				—31

And the resolution, S. J. R. 27, was concurred in and adopted.

Yeas 43; Nays 26.

Yeas:

Mr. Speaker	Barkett	Burgess	Carter
Baker	Boles	Callahan	Chesnut

Collins	Hale	McCorquodale	Snell	
Connell	Hardin	McDonald	Stokes	
Crawford	Hobbie	Manley	Stubbs	
Cross	Jackson	Mathews	Therrell	
Downing	Jones (E)	O'Daniel	Turner	
Drake	Jones (F)	Owens	Turnham	
Edwards	Kinsey	Parker (T)	Waggoner	
Gloor	Lutz	Perloff	Williams	
Grainger	McBride	Slate		—43

Nays:

Messrs.:	Coshatt	Grey (D)	Robertson	
Adams	Crowe	Hill	Smith (K)	
Adwell	Culver	Lang	Smith (P)	
Boutwell	Dill	McCluskey	Timmons	
Carnes	Doss	Naramore	Waldrop	
Cauthen	Ellis	Parker (H)	Warren	
Cherner	Goodwin	Reid (R)		—26

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 24. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Parker (H), the House concurred in and adopted the Senate amendment to the bill, H. 24, said Senate amendment being as follows:

Amend H. B. 24 in Section 3 by striking the last sentence of the last paragraph and by inserting the following new sentence in lieu thereof:

"The mailing of such notice by the City Clerk of such city, postage prepaid, properly addressed to the owner of said property, and delivered to addressee only, and the owner's subsequent acknowledgement of the receipt of said notice, shall constitute the giving of notice as required by the immediately preceeding sentence. In the event of multiple ownership, additional notices shall be mailed to each except that as to corporate ownership notice shall be deemed to be adequate if made to the President of said corporation.

Further amend H. B. 24 in Section 3 and Section 6 by striking the words and figures "seven (7)" and insert in lieu thereof the words and figures "fourteen (14)".

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 81. To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund for the payment of subsidies for the Tuberculosis and Chronic Lung Disorders treatment.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 26. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Parker (H), the House concurred in and adopted the Senate amendment to the bill, H. 26, said Senate amendment being as follows:

Amend H. B. 26 by striking the second sentence in the third paragraph of Section 4 and inserting in lieu thereof the following:

"One of said members shall be the mayor or chief executive officer of the largest municipality in the county; at least two additional of said members shall be resident citizens of the largest municipality in the county; one of said members shall be the President or Chairman of the governing body of the county; and none of said members shall be a member of the Legislative Electoral College."

Further amend the bill in the first line of the fourth paragraph of Section 4 by deleting the words "the adoption of this act" and insert in lieu thereof the words "this act, as amended, becomes applicable to the County".

In the eighth sentence, of the same paragraph, substitute as the 23rd word in the sentence the word "two" in lieu of "four".

In the 10th paragraph in the third sentence of Section 4, insert the words "this Act, as amended, becomes applicable to the County" in lieu of the words "the adoption of this act", and in the 4th sentence of the said paragraph insert before the word "members" the word "remaining".

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	Slate
Baker	Downing	Lutz	Smith (P)
Benton	Drake	McBride	Snell
Boles	Ellis	McCluskey	Stokes
Boutwell	Grainger	McDonald	Stubbs
Burgess	Gray (F)	Manley	Therrell
Carnes	Grey (D)	Naramore	Timmons
Carter	Hale	O'Daniel	Turner
Cauthen	Hardin	Owens	Turnham
Cherner	Headley	Parker (H)	Waggoner
Chesnut	Hill	Parker (T)	Waldrop
Connell	Hobbie	Perloff	Warren
Coshatt	Jones (E)	Pruitt	Williams
Cross	Jones (F)	Reid (R)	Wise
Crowe			

—61

And the bill, H. 26, as thus amended, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Pruitt
Adams	Cross	Jones (E)	Reid (R)
Adwell	Crowe	Jones (F)	Robertson
Baker	Culver	Kinsey	Smith (K)
Bassett	Dill	Lang	Smith (P)
Boles	Downing	Lutz	Snell
Boutwell	Drake	McBride	Stokes
Burgess	Ellis	McCluskey	Stubbs
Carnes	Gloor	Manley	Timmons
Carter	Grainger	Naramore	Turner
Cauthen	Grey (D)	O'Daniel	Turnham
Cherner	Hale	Owens	Waldrop
Chesnut	Hardin	Parker (H)	Williams
Connell	Hill	Parker (T)	

—55

MOTION TO ADJOURN LOST

The motion of Mr. Perloff that the House adjourn until 4:00 o'clock p. m., Wednesday, January 5, 1972, was lost.

Yeas 26; Nays 34.

Yeas:

Messrs.:	Collins	Hardin	Slate
Baker	Crawford	Lutz	Stokes
Bassett	Cross	McDonald	Therrell
Burgess	Culver	Mathews	Turnham
Cauthen	Downing	Parker (T)	Williams
Cherner	Grainger	Perloff	Wise
Chesnut	Hale	Reid (R)	

—26

Nays:

Mr. Speaker	Crowe	Kinsey	Smith (K)	
Adams	Dill	McBride	Smith (P)	
Adwell	Drake	Manley	Snell	
Boles	Ellis	Naramore	Stubbs	
Boutwell	Gloor	O'Daniel	Timmons	
Carnes	Hill	Owens	Waggoner	
Carter	Hobbie	Parker (H)	Waldrop	
Connell	Jones (E)	Robertson	Warren	
Coshatt	Jones (F)			—34

MOTION TO ADJOURN LOST

The motion of Mr. Gloor that the House adjourn until 2:00 o'clock p. m., Wednesday, January 5, 1972, was lost.

Yeas 22; Nays 44.

Yeas:

Mr. Speaker	Culver	Jones (F)	Parker (T)	
Boles	Downing	Kinsey	Stokes	
Burgess	Gloor	McBride	Stubbs	
Callahan	Hale	O'Daniel	Turner	
Collins	Jackson	Owens	Williams	
Connell	Jones (E)			—22

Nays:

Messrs.:	Coshatt	Lang	Slate	
Adams	Cross	Lutz	Smith (K)	
Adwell	Crowe	McDonald	Smith (P)	
Baker	Dill	Manley	Snell	
Benton	Doss	Mathews	Therrell	
Boutwell	Drake	Mims	Timmons	
Brassell	Ellis	Naramore	Turnham	
Carnes	Grainger	Parker (H)	Waggoner	
Carter	Grey (D)	Perloff	Waldrop	
Cauthen	Hill	Reid (R)	Wallace	
Cherner	Hobbie	Robertson	Warren	
Chesnut				—44

MOTION TO ADJOURN LOST

The motion of Mr. Crowe that the House adjourn until 6:00 o'clock p. m., Wednesday, January 5, 1972, was lost.

Yeas 23; Nays 48.

Yeas:

Mr. Speaker	Crawford	Hale	Parker (T)	
Baker	Crowe	Hill	Robertson	
Barkett	Downing	Hobbie	Stokes	
Boles	Drake	Jones (E)	Straiton	
Burgess	Grainger	Lutz	Williams	
Collins	Gray (F)	Parker (H)		—23

Nays:

Messrs.:	Connell	Kinsey	Smith (K)
Adams	Coshatt	Lang	Smith (P)
Adwell	Cross	McBride	Snell
Bassett	Culver	McDonald	Therrell
Benton	Dill	Manley	Timmons
Boutwell	Doss	Mathews	Turner
Brassell	Ellis	Mims	Turnham
Callahan	Gloor	Naramore	Waggoner
Carnes	Goodwin	Owens	Waldrop
Carter	Grey (D)	Perloff	Wallace
Cauthen	Hardin	Reid (R)	Warren
Cherner	Jones (F)	Slate	Wise
Chesnut			

—48

MOTION TO ADJOURN LOST

The motion of Mr. Gloor that the House adjourn until 5:00 o'clock p. m., Wednesday, January 5, 1972, was lost.

Yeas 29; Nays 42.

Yeas:

Mr. Speaker	Drake	Hill	Perloff
Baker	Gloor	Jones (E)	Reid (R)
Barkett	Goodwin	Lutz	Stokes
Boles	Grainger	McDonald	Straiton
Burgess	Gray (F)	Mathews	Stubbs
Callahan	Grey (D)	O'Daniel	Weeks
Crawford	Hale	Parker (T)	Williams
Downing			

—29

Nays:

Messrs.:	Chesnut	Hobbie	Smith (P)
Adams	Collins	Jones (F)	Snell
Adwell	Connell	Kinsey	Therrell
Bassett	Coshatt	Lang	Timmons
Benton	Cross	McBride	Turnham
Boutwell	Culver	Mims	Waggoner
Brassell	Dill	Naramore	Waldrop
Carnes	Doss	Parker (H)	Wallace
Carter	Edwards	Robertson	Warren
Cauthen	Ellis	Slate	Wise
Cherner	Hardin	Smith (K)	

—42

MOTION TO RECESS LOST

The motion of Mr. Slate that the House recess until 7:00 o'clock p.m., this evening, was lost.

Yeas 19; Nays 55.

Yeas:

Mr. Speaker	Cauthen	Gloor	Slate
Adwell	Chesnut	Headley	Smith (K)
Brassell	Collins	Hobbie	Stubbs
Burgess	Doss	Jones (F)	Turnham
Carter	Drake	Parker (H)	

—19

Nays:

Messrs.:	Culver	Lang	St. John
Adams	Dill	Lutz	Smith (P)
Barkett	Downing	McBride	Snell
Bassett	Ellis	McDonald	Stokes
Benton	Goodwin	Manley	Straiton
Boles	Grainger	Mathews	Therrell
Boutwell	Gray (F)	May	Timmons
Callahan	Grey (D)	Mims	Turner
Carnes	Hale	Naramore	Waggoner
Cherner	Hardin	Owens	Waldrop
Connell	Hill	Parker (T)	Wallace
Coshatt	Jackson	Perloff	Warren
Crawford	Jones (E)	Reid (R)	Williams
Cross	Kinsey	Robertson	Wise

—55

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:20 P.M. on December 16, 1971:

H. 128
H. 119
H. 91
H. 42
H. 41
H. 16
H. 120
H. 98
H. 111
H. J. R. 50
H. J. R. 52

Delivered to the Governor at 3:50 P.M. on December 16, 1971:

H. J. R. 38
H. J. R. 46
H. J. R. 47
H. J. R. 51
H. J. R. 58
H. J. R. 56
H. 66

JOHN W. PEMBERTON,
Clerk.

ADOURNMENT

On motion of Mr. Owens, the House adjourned until 3:00 o'clock p. m., Wednesday, January 5, 1972

Yeas 39; Nays 36.

Yeas:

Messrs.:	Cross	Jones (F)	Pruitt
Baker	Downing	Kinsey	St. John
Barkett	Drake	Lutz	Stokes
Bassett	Gloor	McBride	Straiton
Boles	Grainger	McDonald	Stubbs
Burgess	Hale	Manley	Therrell
Carter	Hardin	May	Turner
Cauthen	Headley	Owens	Weeks
Connell	Jackson	Parker (T)	Williams
Crawford	Jones (E)	Perloff	Wise

—39

Nays:

Mr. Speaker	Coshatt	Hobbie	Smith (K)
Adams	Culver	Lang	Smith (P)
Adwell	Dill	Mathews	Snell
Benton	Doss	Mims	Timmons
Boutwell	Ellis	Naramore	Turnham
Brassell	Goodwin	Parker (H)	Waggoner
Carnes	Gray (F)	Reid (R)	Waldrop
Cherner	Grey (D)	Robertson	Wallace
Chesnut	Hill	Slate	Warren

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TENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, January 5, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Benton	Carnes	Connell
Adams	Boles	Carter	Coshatt
Adwell	Boutwell	Casey	Cottingham
Agee	Bowers	Cauthen	Crawford
Bank	Brassell	Cherner	Cross
Barkett	Burgess	Chesnut	Crowe
Bassett	Callahan	Collins	Culver

Dill	Hearn	Mims	Stewart
Doss	Hill	Naramore	Stokes
Downing	Hobbie	O'Daniel	Straiton
Drake	Jackson	Owens	Stubbs
Easters	Jones (E)	Parker (H)	Taylor
Edwards	Jones (F)	Parker (T)	Therrell
Ellis	King	Perloff	Timmons
Fite	Kinsey	Pruitt	Turner
Flippo	Lang	Reed (T)	Turnham
Gafford	Lutz	Reid (R)	Waggoner
Gloor	McBride	Reynolds	Waldrop
Goodwin	McCluskey	Roberts	Wallace
Grainger	McCorquodale	Robertson	Warren
Gray (F)	McDonald	St. John	Weeks
Grey (D)	Manley	Slate	Williams
Hale	Mathews	Smith (K)	Wise
Hardin	May	Smith (P)	Wood
Harris	Meeks	Snell	Wynot
Headley	Merrill		—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 94. In relation to the regulation of facilities for child care, repealing Title 49, sections 62–100, as amended.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 109. (With Amendment): To amend Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay to employees.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Reid (R):

H. 195. Relating to counties having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census, to authorize the county commission of such counties to appropriate an amount not to exceed $5,200 out of the general fund for the relief of Walter L. Nelson.

Local Legislation No. 1.

By Messrs. McCorquodale, Mims and Agee:

H. 196. To make a supplemental appropriation to the Alabama Cooperative Wildlife Research Unit at Auburn University from the Alabama Forestry Commission Fund and the Game and Fish Fund in the State Treasury.

Ways and Means.

By Mr. Fite:

H. 197. Relating to counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census; permitting the county governing body to employ an additional deputy sheriff.

Local Legislation No. 1.

By Mr. Carnes:

H. 198. To amend Code of Alabama, Title 30, Section 55, so as to provide that it is good ground for challenge of a juror that he has not been a resident of the county for the last preceding year.

Judiciary.

By Mr. Burgess:

H. 199. To amend Section 131 of Act No. 407, H. 198, Regular Session 1971, approved August 25, 1971, which provides for the waiting period required of an applicant to be reexamined by the State Department of Insurance.

Insurance.

By Messrs. Burgess, Stewart and Merrill:

H. 200. Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to authorize payment of certain expenses of the judge of probate.

Local Legislation No. 1.

By Mr. Drake:

H. 201. To authorize and permit grocery stores to remain open on Sunday in each County in the State having a population of not less than 50,000 and not more than 52,500 inhabitants according to the last or any

succeeding Federal Census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday, and further provided that said grocery store does not exceed 3,500 square feet of floor space, and to provide licensing such grocery stores by the license issuing officer of such County; authorizing the State to enjoin grocery stores remaining open on Sunday contrary to this Act.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 202. To amend further Act No. 672, S. 99 of the Regular Session of 1965 (Acts 1965, p. 1208), which is known as the Farmers Market Authority Act, said amendment relating to the annual salary of the Administrator of the Farmers Market Authority.

Agriculture.

By Mr. Cherner:

H. 203. Relating to taxation: to regulate further the levy, assessment, collection, and the use of ad valorem taxes; to provide that no State ad valorem taxes shall be levied or collected, but in lieu thereof an assessment for the use of the State is levied and shall be collected and paid by the several counties to the State; to provide that this Act is cumulative and shall, insofar as practicable, be construed in pari materia with other laws relative to ad valorem taxation; nevertheless to repeal all laws or parts of laws in conflict herewith and specifically to repeal Code of Alabama 1940, Title 51, Sections 18 and 19.

Ways and Means.

By Mr. Carnes:

H. 204. To amend Sections 8, 9, 15 and 16 of Act No. 2052 of the 1971 Regular Session of the Alabama Legislature, An Act "To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act."

Banking.

By Mr. Jones (F):

H. 205. To amend Section 298, of Title 52, of the Code of Alabama 1940, as amended, which relates to the minimum age at which children may attend school.

Education.

By Messrs. Jones (F) and Taylor:

H. 206. Relating to cities having a population of not less than 130,000 nor more than 137,000, according to the most recent federal decennial census, authorizing municipalities in such counties to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the municipalities and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by

such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of holders thereof; and exempting the municipal corporation transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Local Legislation No. 4.

By Mr. Jones (F):

H. 207. To require a movie or theater house that shows x rated or adults only movies, to pay a license or privilege fee of $2,000 and prescribing penalties for violation of said Act.

Public Welfare.

By Messrs. Jones (F) and Taylor:

H. 208. To propose an amendment to the Constitution of Alabama to require that the legislature enact legislation providing for a unicameral legislature which shall consist of not less than forty nor more than sixty members; to require that the legislature reapportion the districts from which said members are elected after each federal decennial census.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Jones (F) and Taylor:

H. 209. To provide for a unicameral Legislature composed of 55 members from 27 districts to be elected at the general election in November 1974; to provide that the members of the unicameral Legislature shall have all of the powers, duties and functions formerly listed in the House and Senate of the Alabama Legislature.

Constitution and Elections.

By Messrs. Merrill, Stewart and Burgess:

H. 210. To amend Sections 1 and 2 of Act No. 175, H. 460, Regular Session 1965, (Acts 1965, p. 246), which provides for an increase in the compensation of the coroner and deputy coroner of certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Merrill, Burgess and Stewart:

H. 211. To amend Act No. 583, H. 1479, Regular Session 1971, entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census," amending the title and Section 2 of such Act so as to delete from the enumeration of the officers entitled to the expense allowance thereby provided the judge of the county court and to pro-

vide for the payment of travel expenses outside the county on county business in addition to the prescribed expense allowances.

Local Legislation No. 1.

By Messrs. Callahan, Collins, Therrell and Hobbie:

H. 212. To exempt from the payment of State Income Tax all salaries and wages paid any law enforcement officer by the State or any County or Municipality in this State.

Ways and Means.

By Messrs. Parker (H), Meeks, Gafford, Dill, Wallace and Timmons:

H. 213. Relating to the financing of sanitary sewers in each county having a population of 600,000 or more according to the last or any subsequent federal decennial census; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring or providing sanitary sewer facilities for the collection, transmission, treatment and disposal of sewage; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the revenues from such facilities, or the proceeds from certain taxes, or both such revenues and such taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to authorize any such county to enter into the undertakings and to assume the obligations permitted by Act No. 42 enacted at the 1971 Regular Session of the Legislature; to provide that the issuance of any warrants and the interest coupons applicable thereto or the execution of any contract pursuant to the said Act No. 42 shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof; to exempt such warrants and contracts from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Local Legislation No. 2.

By Messrs. Wallace, Dill and Weeks:

H. 214. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Lutz, Hale, Hearn, Grainger and King:

H. 215. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and

compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Local Legislation No. 4.

By Mr. Williams:

H. 216. To amend the title and Sections 2 and 4 of Act No. 4, S. 53, Regular Session 1969, (Acts 1969, p. 297) which Act permits corporations to pay a rate or rates of interest not to exceed 15% per annum on the loan or forbearance of money having an original principal balance of more than $10,000 and less than $100,000, and permits a corporation to pay such rates on loans in excess of $100,000 as that corporation may determine under certain restrictions, in order to extend such loan provisions to general and limited partnerships.

Banking.

By Mr. Coshatt (With Notice and Proof):

H. 217. To alter and re-arrange the boundary lines of the town of Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

Local Legislation No. 1.

Notice and Proof H. 217:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To Alter and rearrange the boundary lines of the Town of Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

Be It Enacted by the Legislature of Alabama:

Section 1. That, from and after the passage and approval of this act, the boundary lines of the Town of Ragland, St. Clair County, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of said Town of Ragland, St. Clair County, Alabama, in addition to the territory included within its present corporate limits, the territory lying and situated in St. Clair County, Alabama, contigious to said town, more particularly described as follows:

That part of the following lands lying contiguous to and outside the present limits of the Town of Ragland.

West ½ of Section 20 in Township 15, Range 5 East; Also Sections 2, 3, 10 and 19 in Township 15, Range 5 East; Also all that part of the following

sections lying contiguous to and not presently within the corporate limits of Ragland, Alabama: Sections 8, 9, 17 and 18 in Township 15, Range 5 East; Also Sections 4 and 5 Township 15, Range 5 East; Section 32, Township 14, Range 5 East; The West one-half of Section 33, Township 14, Range 5 East; The South one-half of Section 6, Township 15, Range 5 East; The South one-half of Section 1, Township 15, Range 4 East and all of Sections 12 and 13, in Township 15, Range 4 East not presently in the Ragland Corporate Limits.

All the foregoing lands situated in St. Clair County, Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks at no cost to the State of Alabama, said notice having appeared in the issues of said paper on October 27, November 3, 10, and 17, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me December 14, 1971.

ANNE T. MILAM,
Notary Public.

By Mr. Smith (P):

H. 218. To make a supplemental appropriation to the Farmers Market Authority for the fiscal years ending September 30, 1972 and September 30, 1973.

Agriculture.

By Mr. Crowe (with notice and proof):

H. 219. To amend Act No. 404, H. 221, Special Session, 1966 (Acts of 1966, p. 548) entitled "An Act To abolish the office of county comptroller of Walker County and to establish in lieu thereof the office of county treasurer of Walker County; to provide for the election of the county treasurer and to prescribe his powers, duties, term and compensation," so as to require and regulate the investment of certain surplus county funds and prescribe the use of interest which accrues on such investment; and to place certain duties relative thereto on the county treasurer.

Local Legislation No. 1.

Notice and Proof H. 219.

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 404, H. 221, Special Session, 1966 (Acts of 1966, p. 548) entitled "An Act To abolish the office of county comptroller of Walker County and to establish in lieu thereof the office of county treasurer of Walker County; to provide for the election of the county treasurer and to prescribe his powers, duties, term and compensation," so as to require and regulate the investment of certain surplus county funds and prescribe the use of interest which accrues on such investment; and to place certain duties relative thereto on the county treasurer.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 404, H. 221, Special Session, 1966 (Acts of 1966, p. 548) entitled "An Act To abolish the office of county comptroller of Walker County and to establish in lieu thereof the office of county treasurer of Walker County; to provide for the election of the county treasurer and to prescribe his powers, duties, term and compensation," is hereby amended to read as follows:

"Section 4. Except as otherwise provided in this Act, the county treasurer of Walker County shall have all the powers and duties vested by the general laws of the State in county treasurers, and he shall, in addition thereto, serve as custodian of the funds of the People's Hospital. He shall deposit all public funds in some bank or banks in Walker County, Alabama, which are accepted and recognized by the Walker County Commission or like governing body of the county as legal depositories, so long as such bank or banks agree to pay interest on a portion of said money as provided herein. As much money as may be needed for current operating purposes of the county government, as determined by the county governing body, shall be maintained at all times in the county treasury or in demand deposits with county depository banks. The county treasurer shall apportion such demand deposits among the banks in the county which have been designated as county depositories, giving due consideration to the activities of the various accounts maintained therein, the reasonable value of the banking services rendered or to be rendered the county by such depositories, and to the value and importance of such deposits to the economy of the communities of the county to be affected thereby. The county treasurer shall also take into consideration the reserve requirements prescribed by law relative to demand deposits and time deposits. The county treasurer shall place all such county funds as are not needed for immediate operational purposes within a sixty-day period on time deposit, open account, or invest all or a part of such county funds in interest-bearing securities issued by the United States government, which are guaranteed as to principal and which are redeemable upon application. The county treasurer shall arrange with the county depository banks for the best obtainable interest on all such deposits. All interest paid upon the time deposits made or United States government securities purchased pursuant to this act, shall belong to Walker County; however, the first $50,000 each year hereafter accruing hereunder is hereby appropriated to and shall be used by the Walker County Coliseum Authority and the remainder of such interest shall be used for the purpose of paying or providing a sinking fund for paying the county's bonded

indebtedness. The county treasurer shall account for and be responsible for all such interest. He shall assist the county governing body of the county in preparing its annual budget. Between the first and tenth days of each month, the county treasurer shall make duplicate monthly reports showing all funds received by him during the previous month, and from what sources received, and showing all disbursements made by him and for what general purpose, and he shall file one copy of the report with the county governing body and he shall keep one copy of the report on file in his office; and such reports shall be public documents or records. The county treasurer shall make a duplicate annual report showing in detail all monies received by him and from what sources, including all interest paid or accrued on investments made pursuant to above provisions of this section, and showing all disbursements by him, and for what paid. In such annual report he shall list and show all indebtedness of the county shown by his records, whether bonds, warrants, or other indebtedness, and shall designate for what purpose the bond issues were made and for what purpose the warrant issues were made, and shall show the amount of interest each of such securities bears. One copy of such report shall be filed with the county governing body, and one copy shall be kept on file by him, and each shall be a public document or record. Whenever any officer of Walker County is placed on a salary, by legislation enacted under the provisions of Amendment L of the Constitution, or in any other lawful manner, the county treasurer of Walker County shall audit the fee and commission reports made each month by such officer, and shall keep a record of all the fees and commissions paid into the county treasury, to the credit of the respective office making such payments into the treasury; approve for payment all salary authorized by law to be paid to the officer and his office personnel; and keep a record of such payments and charge the payments against the cost of running or operating such office."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 26, Dec. 3, Dec. 10, and Dec. 17, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me Dec. 28, 1971.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Grey (D) (With Notice and Proof):

H. 220. Relating to Lamar County, providing further for the election of the members of the governing body of said county.

Local Legislation No. 1.

Notice and Proof H. 220:

STATE OF ALABAMA
COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lamar County, providing further for the election of the members of the governing body of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Each associate member of the governing body of Lamar County when he is elected and throughout the time in which he serves shall reside in and be a qualified elector of the district he represents. He shall be nominated by the qualified electors of the district he represents in the manner prescribed for nominating candidates for other county offices; and he shall be elected by the qualified electors of the district.

Section 2. Lamar County shall be divided into four commissioner districts as follows:

DISTRICT ONE:

Beginning at the point where the north boundary of Section 29, Township 14 South, Range 16 West, intersects the Alabama-Mississippi State Line, run in a southwesterly direction along said State Line to a point in Section 31, Township 16 South, Range 16 West where said State Line crosses Yellow Creek; thence run northeasterly along the center of Yellow Creek to a point where Yellow Creek intersects the east boundary of Section 20, Township 16, Range 16 West; thence south along the east boundary of Sections 20 and 29 to the half mile corner between Sections 28 and 29; thence east along the center of Section 28, Township 16 South, Range 16 West, to the half mile corner between Section 28 and 27; thence north along the west boundary of Section 27 to the northeast corner of said Section 27; thence east along the north boundary of Section 27, 26, Township 16 South, Range 16, to the northeast corner of said Section 26; thence south along the east boundary of said Section 26 and 35. Township 16 South, Range 16 West and continue southerly along the east boundary line of Section 2, Township 17 South, Range 16 West, to the half mile corner; thence east along half mile line to its intersection with Mud Creek near the east boundary of Section 1, Township 17 South, Range 16 West; thence in a northeasterly direction along said Mud Creek to its intersection with the Range line between Ranges 14 West and 15 West on the West boundary of Section 13, Township 16 South, Range 14 West; thence north along said Range line to its intersection with Hells Creek at a point on the east boundary of Section 36, Township 15 South, Range 15 West; thence in a generally northwesterly direction along and down said Hells Creek to its intersection with Yellow Creek, in Section 22, Township 15 South, Range 15 West; thence along and down said Yellow Creek to its intersection with Alabama State Highway Number 17, in Section 28, Township 15 South, Range 15 West; thence northerly along said State Highway Number 17 to its intersection with the north boundary of Section 28. Township 14

South, Range 15 West; thence west along the north boundary of Sections 29 and 30, Township 14 South, Range 15 West, Sections 25, 26, 27, 28 and 29, Township 14 South, Range 16 West, to the Mississippi-Alabama State Line and the point of beginning.

Said District One comprising the following beats or precincts: Military (No. 10); Betts No. (11); Star (No. 23); Ridge (No. 18); Guin (No. 21); and that part of Number 1 of Town lying west of Alabama State Highway Number 17.

DISTRICT TWO:

Beginning at the northeast corner of Lamar County, where the Marion-Lamar County line intersects the Alabama-Mississippi State line, run southerly along said State line to an intersection with the south boundry of Section 20, Township 14 South, Range 16 West; thence east along the section lines to the southeast corner of Section 21, Township 14 South, Range 15 West; thence north along the east boundry of said Section 21 to the half mile corner; thence east along the center of Sections 22 and 23, Township 14 South, Range 15 West, to the half-mile corner on the east boundary of said Section 23; thence north, following the section lines, to the half-mile corner on the west boundary of Section 13, Township 14 South, Range 15 West; thence east to the center of said Section 13; thence north to the half-mile corner on the north boundary of said Section 13; thence east to the north east corner of said Section 13; thence north and following the Section lines and range line between Range 14 West and Range 15 West, to the northeast corner of Section 36, Township 12 South, Range 11 West; thence west and following the Section lines to the north west corner of Section 35, Township 12 South, Range 15 West; thence north and following the Section lines to the northwest corner of Section 2, Township 12 South, Range 15 West, on the north boundary line of Lamar County; thence along said north boundary to the northwest corner of Lamar County and the point of beginning.

Said District Two comprising the following beats or precincts: Millville (No. 7); Pine Springs (No. 8); Goode (No. 5); and Moscow (No. 9).

DISTRICT THREE:

Beginning at the southeast corner of Section 36, Township 15 South, Range 14 West, on the Lamar-Fayette County line, run west and along the Township line to the Southwest corner of Section 31, Township 15 South, Range 14 West; thence north along the Range line and west boundary of said Section 31 to an intersection with Hells Creek; thence in a generally northwest direction along and down said Hells Creek to its intersection with Yellow Creek, in Section 22, Township 15 South, Range 15 West; thence along and down said Yellow Creek to its intersection with Alabama State Highway Number 17, in Section 28, Township 15 South, Range 15 West; thence northerly along said State Highway Number 17 to its intersection with the north boundary of Section 28, Township 14 South, Range 15 West; thence east along said north boundary to the northeast corner of said Section 28; thence north along the east boundary of Section 21, Township 14 South, Range 15 West, to the half-mile corner; thence east along the center of Sections 22 and 23, Township 14 South, Range 15 West to the half-mile corner on the east boundary of said Section 23; thence north following the Section lines to the half-mile corner on the west boundary of Section 13, Township 14 South, Range 15 West; thence east to the center of said Section 13; thence north to the half-mile corner on the north boundary of said Section 13; thence east to

the north east corner of Section 13; thence north following the section lines and range lines between Ranges 14 West and 15 West to the north east corner of Section 36, Township 12 South, Range 15 West; thence west along the section lines to the northwest corner of Section 35, Township 12 South, Range 15 West; thence north and following the section lines, to the northwest corner of Section 2 Township 12 South, Range 15 West, on the north boundary line of Lamar County; thence east along the County line between Lamar and Marion to the northeast corner of Section 3, Township 12 South, Range 14 West; thence south along said County line to the southeast corner of Section 10, Township 12 South, Range 14 West; thence East along said County line to the northeast corner of Section 13, Township 12 South, Range 14 West; thence south along the east boundary line to the southeast corner of Section 36, Township 15 South, Range 14 West, and the point of beginning.

Said District Three comprising the following beats or precincts: Henson Springs (No. 6); Brown (No. 4); Sizemore (No. 3); Bell (No. 19); Blooming Grove (No. 22); Lawrence (No. 2); and that part of Town Beat lying east of Alabama Highway Number 17.

DISTRICT FOUR:

All that part of Lamar County lying south of a line described as follows:

Beginning at the point where Yellow Creek intersects the Mississippi-Alabama State line, run northeasterly along Yellow Creek to a point where Yellow Creek intersects the east boundary of Section 20, Township 16 South, Range 16 West thence south along the east boundary of Sections 20 and 29 to the half-mile corner between Sections 20 and 29; thence east along the center of Section 28 Township 16 South, Range 16 West, to the half-mile corner between Sections 28 and 27; thence north along the west boundary of Section 27 to the northeast corner of said Section 27; thence east along the north boundaries of Sections 27, 26, Township 16 South, Range 16 West, to the northeast corner of said Section 26; thence south along the east boundary of said Sections 26 and 35, Township 16 South, Range 16 West and continue southerly along the east boundary line of Section 2, Township 17 South, Range 16 West to the half-mile corner; thence east along half mile line to its intersection with Mud Creek near the east boundary of Sections 1, Township 17 South, Range 16 West; thence up and along Mud Creek in an east-north east direction to its intersection with the range line and west boundary of Section 18, Township 16 South, Range 14 West; thence north along the Township line to the north west corner of Section 6, Township 16 South, Range 14 West it being the Township corner thence east along the north boundary of said Township 16 South, Range 14 West, to the northeast corner of said Township and the Fayette County line.

Said District Four comprising the following beats or precincts: Strickland (No. 16); Steens (No. 15); Curry (No. 20); Millport (No. 14); Vails (No. 13); Wilson (No. 17); Trull (No. 12).

Section 3. The associate commissioners now serving shall continue in office until the expiration of their term. Their successors shall be elected at the time, in the manner, and for the terms provided by law, except as otherwise herein provided. The members of District No. 2 and No. 4 being elected in 1972 and every four years thereafter, and the members of Districts No. 1 and No. 3 being elected in 1974 and every four years thereafter.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are herewith repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its other wise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
LAMAR COUNTY

Before me, Loree Trimm, a Notary Public in and for said County, personally appeared Rex Rainwater, Publisher of The Lamar Democrat, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a week for 4 consecutive weeks in said paper in issues dated as follows: August 12, 19, 26, and September 2, 1971.

REX RAINWATER,
Publisher.

Subscribed and sworn to before me, this the 2nd day of September, 1971.

LOREE TRIMM,
Notary Public.

My Commission Expires 1-27-75.

By Messrs. Cross and Carter (With Notice and Proof):

H. 221. To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County, by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

Local Legislation No. 1.

Notice and Proof H. 221:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County, by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

Be It Enacted by the Legislature of Alabama:

Section 1, Section 2 of Act No. 56, H. 377, Regular Session 1971, approved July 12, 1971, is hereby amended to read as follows:

"Section 2. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases, and actions cognizable before the circuit court, or a county court, or justices of the peace court or courts created in lieu thereof, and the juvenile court, as provided by general laws. However, the procedure in juvenile

cases shall be prescribed for juvenile cases as provided in Alabama Code, Title 13, Chapter 7. The jurisdiction of the court with respect to juvenile cases shall be exclusive.

"(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or actions in the nature of ejectment or of any civil action when the matter or sum in controversy exceeds $1,000, nor take cognizance of any matter or proceeding in equity."

Section 2. Section 3 of Act No. 56, H. 377, Regular Session 1971, approved July 12, 1971, is hereby amended to read as follows:

"Section 3. (a) The judge of the court shall be a qualified elector of Lawrence County at the time of his appointment or election, and shall be learned in the law, and shall be a member of the Bar of Alabama. In the event no person is available to hold said office or who seeks to hold said office who meets the above qualifications, then said judge shall be a qualified elector of Lawrence County, possess a high school education, and shall reside in Lawrence County during his continuance in office.

"(b) Immediately after the effective date of this Act, the judge of said court shall be appointed by a committee in Lawrence County consisting of the circuit judge, the chairman of the county commission or other like governing body, and the president of the Lawrence County Bar Association. Said appointment shall be made by the above appointing committee acting in a majority.

"(c) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of state and county officers in 1972, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

"(d) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law.

"(e) In the event of a vacancy in the office of judge, the appointing committee shall appoint a qualified person as judge and the person so appointed shall hold office for the unexpired term.

"(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 124, Title 13, Code 1940.

"(g) The judge shall receive a salary of not less than $7,200 nor more than $10,200 per annum, payable out of the general funds of the county in equal monthly installments as the salaries of other county officers are paid. The exact amount shall be fixed by the county governing body.

"(h) The judge shall have authority to: 1) administer oaths and take acknowledgements; 2) issue search warrants; 3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon judges of county courts, juvenile courts, and justices of the peace, including that of magistrate on preliminary examinations.

"(i) The judge shall have an office in the county courthouse, or such other place as may be provided by the governing body of the county. His of-

fice shall be suitably equipped, furnished, and provided at the expense of the county with such office supplies, stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court, subject to approval of the board of revenue or other like governing body of the county.

"(j) In the absence of the regular judge, the clerk of court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilt and assess against such defendant such fine and costs as may be authorized by law and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court."

Section 3. Section 4 of Act No. 56, H. 377, Regular Session 1971, approved July 12, 1971, is hereby amended to read as follows:

"Section 4. (a) The court shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

"(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday in each month, and on the third Monday of each month there shall be a call of the docket of the court for the handling, trial and disposal of criminal cases where the defendant has been confined in jail for five days or more and has failed to make bond, and of such other criminal cases in which the defendant shall request a trial in time for the witnesses to be summoned and caused to appear at the trial. The judge shall be available for the trial of cases either civil or criminal or both, on a five day per week basis. The judge of said court shall maintain an office in the courthouse, which shall remain open Monday through Friday of each week during the hours other county offices are open.

"(c) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing justice of the peace courts.

"(d) in civil actions at law when the summons, writ or attachment; and summons and complaint in attachment; or other process has been executed on the defendant; or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within thirty days, and the process issued shall so recite. The same provisions in reference to filing of interrogatories to parties to suits and the same provisions in reference to taking of depositions as now or may hereafter be provided for in the filing of interrogatories and the taking of depositions in the circuit courts of this state, except as herein provided, shall apply to the filing of interrogatories and the taking of depositions in this court; the parties shall be required to answer within thirty days.

"(e) In all civil matters judgment by default may be awarded plaintiff on defendant's failure to plead, answer or demur within 30 days, by motion.

"(f) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27, Title 7, Code 1940, except that the garnishee shall appear and file his answer within thirty days after the service on him of process of garnishment and the process shall so recite."

Section 4. Section 9 of Act No. 56, H. 377, Regular Session 1971, approved July 12, 1971, is hereby amended to read as follows:

"Section 9. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit court.

"(b) In addition to the fees for witnesses, the court shall have authority to tax costs and fees for the use of the officers of the county as follows: (1) In each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts; (2) in every other criminal case, the same as in county courts, including fees as provided by Section 37, Title 11, Code 1940, except as provided hereinafter in Section 11 of this act, and in each civil action at law the same as in circuit court.

"(c) A trial tax of five dollars ($5.00) shall be collected for the use of the county in each criminal case.

"(d) No costs shall be taxed in juvenile cases."

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 9, 16, 23, and 30, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me January 4, 1972.

LeRUTH G. SLATON,
Notary Public.

By Messrs. Ellis, Smith (P), McCluskey and Wallace:

H. 222. To make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session.

Ways and Means.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 223. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial

census; to provide that the members of the county board of education be paid an expense allowance of $50 per month.

Local Legislation No. 1.

Notice and Proof H. 223:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having a population of not less than 14,500 nor more than 15,500 inhabitants, according to the most recent federal decennial census.

Section 2. All members of the county board of education in such counties shall be paid an expense allowance of $50 per month out of any education funds available to the county for such purposes. The expense allowance provided for by this Act shall be in addition to any and all other expense allowances, compensation and salary provided for by law.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 9, 16, 23, and 30, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me December 30, 1971.

ELIZABETH F. STEWART,
Notary Public.

By Mr. Connell:

H. 224. Relating to all counties having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census, to provide for the regulation of parking on property of such counties around the county courthouse; to set a time limit for motor vehicles to be parked; to regulate parking of vehicles blocking driveways for unreasonable periods; to prohibit blocking of other vehicles lawfully parked and to prohibit parking in unauthorized places; and to authorize the sheriff and such persons as he may deputize, to enforce the provisions of this Act.

Local Legislation No. 1.

By Mr. Owens:

H. 225. To amend Section 2 and Section 9 of Act No. 1516, Regular Session, 1971, so as to appropriate the fees received in Section 9.

Health.

By Mr. Owens:

H. 226. To amend Act No. 1590, Regular Session, 1971, so as to appropriate the fees received in Section 2.

Health.

By Mr. Owens:

H. 227. To amend Act No. 1594, Regular Session, 1971, so as to appropriate the fees received in Section 4 and Section 13 therein.

Health.

By Mr. Baker (With Notice and Proof):

H. 228. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Local Legislation No. 1.

Notice and Proof H. 228:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of any Inferior Court created by local law in DeKalb County shall receive as a salary the sum of $6,900.00 per year, payable in equal monthly installments, out of the County Treasury upon his war-

rant drawn upon the County Treasurer, or other proper custodian. This shall be in lieu of all the compensation heretofore provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice have appeared in the issue of said paper on December 9, 16, 23, and 30, all in the year, 1971.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this 5th day of January, 1972.

MARY RUTH BROWN,
Notary Public.

By Mr. Baker (With Notice and Proof):

H. 229. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Local Legislation No. 1.

Notice and Proof H. 229:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 1734, H. 2563, Regular Session 1969, approved September 17, 1971, which provides for juries composed for six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1734, H. 2563, Regular Session 1969, providing for juries composed of six members for trial of certain cases in DeKalb County is hereby amended to read as follows:

Section 1. The trial of all civil and criminal cases in the DeKalb Coun-

ty Court which according to law are triable by jury shall be tried by a jury composed of six members to be drawn, summoned, selected, and empaneled as provided in Code of Alabama 1940, Title 30, except that the list from which any six-man jury is to be struck may consist of a minumum of 12 jurors instead of the minimum number prescribed by law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice have appeared in the issue of said paper on December 14, 21, 28, and January 4, 1972.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this 5th day of January, 1972.

MARY RUTH BROWN,
Notary Public.

By Messrs. Lyons, Jackson and Willians:

H. 230. To amend Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Easters:

H. J. R. 71. WHEREAS Carl Folsom pioneered the establishment and development of the Elba Airport; and

WHEREAS the Elba Airport has contributed substantially to the industrial and economic growth of Elba and the surrounding area; and

WHEREAS the late Carl Folsom sacrificed his life for his home and his country on Luzon in World War II, it is most fitting that this facility bear his name as a perpetual memorial to this outstanding citizen and patriot; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Elba Airport be named and known as "The Carl Folsom Airport."

BE IT FURTHER RESOLVED That the authorities of said airport so designate said airport by appropriate signs, plaques or otherwise.

On motion of Mr. Easters, the rules were suspended and the resolution, H. J. R. 71, was adopted.

Also:

By Mr. Connell:

H. J. R. 72. MOURNING THE DEATH OF REPRESENTATIVE GEORGE ANDREWS.

WHEREAS George Andrews held the position of Representative in the United States House of Representatives for the Third Congressional District of Alabama for a period of twenty-eight years; and

WHEREAS he performed invaluable service not only to the constituents in his own congressional district, but to all Alabamians and his considerable influence in Congress was invaluable in a number of critical situations; and

WHEREAS Representative Andrews was a native of Clayton and earned his undergraduate and LL.B. degree from the University of Alabama. He was a member of Sigma Nu social fraternity, Phi Delta Phi legal fraternity, and Omicron Delta Kappa; and

WHEREAS he served as Circuit Solicitor for the Third Judicial Circuit of the State of Alabama from 1931 to 1943. He was elected to the 78th Congress in 1944 in absentia while serving as a Lieutenant (junior grade), with the United States Naval Reserve at Pearl Harbor and contributed immeasurably to the Committee on Expenditures in Executive Departments; Roads Committee and Committee on World War Veterans Legislation, through his devoted service and diligent effort he earned the position of the second ranking member of the House Appropriations Committee and served on the major appropriations committees of Defense, Public Works and Legislative, the latter of which he was chairman. He was recognized and honored many times some of which include, Who's Who in the South and Southwest, Who's Who in America and Who's Who in Alabama; and

WHEREAS Representative Andrews epitomized the image of public service and was an outstanding leader who was ever ready to contribute to the needs of his neighbors and for the progress and betterment of his home town, country and state. He was instrumental in keeping Fort Rucker, the Army Aviation Center and aided Fort McClellan until it received permanent assignment as the center of the Women's Army Corps and the chemical warfare school. Representative Andrews contributed to the success of Alabama's waterways which resulted in the opening of a navigation system from the gulf

up to Phenix City on the Chattahoochee River and he helped sustain the proposed Alabama-Coosa navigation system on an active basis through lean years, and seeing it through to completion as far up as to Montgomery. He also helped keep alive the now court delayed Tennessee-Tombigbee waterway project and he was instrumental in the establishment of the Columbia Lock and Dam on the Chattahoochee River below Columbia, Alabama in Houston County; and

WHEREAS Representative Andrews was recognized for his strong leadership in getting the University of Alabama Medical Center in line for one of the new regional cancer centers called for in President Nixon's intensified war on cancer. A key part will be the Lurleen Wallace Memorial Hospital, for which more than five million dollars in local contributions have been received; and

WHEREAS he believed in a strong defense posture and was instrumental in the selection of Admiral Thomas B. Moorer, a resident of Eufaula, to the position of Chairman of the Joint Chiefs of Staff; and

WHEREAS Representative Andrews was a genuine statesman whose life perpetuates the memory of those who are true to the instinct of their birth, faithful to the teachings of their fathers and constant in their love for their state and country; and

WHEREAS he was held in high esteem by his associates, loved by his friends and respected by all and reflected great honor not only to himself but to his home State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of this great statesman, the Honorable George Andrews of Union Springs, and offers its heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to members of his family.

On motion of Mr. Connell, the rules were suspended and the resolution, H. J. R. 72, was adopted.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members to have their names added as co-sponsors to the resolution, H. J. R. 72.

Also:

By Mr. Callahan:

H. J. R. 73. TO REQUIRE TOYS SOLD UNASSEMBLED TO BE SO MARKED.

WHEREAS this Christmas, many Alabama families have been forced to undertake frantic and futile fumblings with toys, games and other paraphernalia which were purchased in the sublimely optimistic belief that they were already assembled; and

WHEREAS the assembly of such a toy generally requires the knowledge and skill of a graduate mechanical engineer or the knowledge and skill of a

small child who cannot be consulted since he is usually the recipient of the same; and

WHEREAS many toys, cars, ships, trucks, games and other items would languish forever unsold upon the shelves of the merchants of this state if they were plainly marked "to be assembled," now therefore;

BE IT RESOLVED THAT THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, despises and deplores the tactics of unscrupulous and venal vendors of children's toys in selling unassembled products to thousands of gullible and unsuspecting parents, uncles and aunts.

BE IT FURTHER RESOLVED, that this body hereby orders and demands that the container of any unassembled product sold for use by any person under the age of 21 be clearly marked in letters not less than one inch high in the most conspicious place, as follows: MERCHANDISE NOT ASSEMBLED.

BE IT FURTHER RESOLVED, that legislation be immediately prepared for introduction which would make the retail sale of any such unassembled and unmarked product a felony, punishable by a severe prison sentence, and if such an offense occurs in the months of October, November or December it shall be deemed a capital offense.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 73, was lost.

And the resolution, H. J. R. 73, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the Chief Justice and the Associate Justices of the Supreme Court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama, 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the

Bill, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. King:

H. J. R. 74. WHEREAS, The Alabama Legislature finished the Regular Session in September of 1971; and

WHEREAS, The Legislature passed some 2,490 Acts that not only affect the lives and property of the residents of the State of Alabama, but the operations of city, county and State governments as well; and

WHEREAS, The Regular Session of the Legislature of 1971 has been adjourned for three months; and

WHEREAS, Approximately 1,000 of the 2,490 Acts have been distributed to city and county governments throughout the State; and

WHEREAS, City and county officials are under an extreme hardship not knowing what laws were passed and how they relate to their particular offices.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA That a joint committee of the Legislature be appointed by the Speaker of the House of Representatives and the President of the Senate, two members each from the respective chambers of the Legislature to investigate the systematic flow of copies of Acts from final signature of the Governor to distribution to the city and county governments of the State of Alabama; and

BE IT FURTHER RESOLVED That the appointed committee report back to the Legislature within four (4) legislative days a revised flow system on legislative Acts which will provide city and county government timely access to new laws of the State of Alabama.

MOTION TO SUSPEND RULES LOST

The motion of Mr. King to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 74, was lost, lacking a four-fifths vote.

Yeas 27; Nays 10.

Yeas:

Messrs.:	Crowe	Hale	Parker (H)
Benton	Culver	Hill	Parker (T)
Boles	Easters	King	Reed (T)
Boutwell	Flippo	Kinsey	Reid (R)
Carnes	Grainger	Lutz	St. John
Cherner	Gray (F)	McDonald	Smith (P)
Connell	Grey (D)	O'Daniel	Timmons

—27

Nays:

Mr. Speaker	Downing	Jackson	Reynolds
Barkett	Gafford	Owens	Turner
Dill	Harris		

—10

And the resolution, H. J. R. 74, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Lang, Easters and Wise:

H. J. R. 75. SETTING UP A FIRE ANT STUDY COMMISSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a Joint Legislative Committee composed of two Senators appointed by the Lieutenant Governor and three Representatives appointed by the Speaker of the House to study and investigate the problem of fire ants in Alabama and to submit a comprehensive report of its findings and recommendations to the Legislature.

BE IT FURTHER RESOLVED, that the members of the Fire Ant Study Commission shall select a chairman and a vice-chairman from among their number; that they shall meet from time to time during the interim between regular sessions; that each member of the committee shall be entitled to his regular legislative compensation and an allowance for each day that he attends a meeting of the committee; and that the committee may employ such assistance as is necessary for the performance of its duties.

BE IT FURTHER RESOLVED, that the compensation and expenses of the committee and its staff, not to exceed the sum of $3000.00 altogether shall be paid out of funds appropriated to the use of the Legislature, on warrants drawn on the State Comptroller upon requisitions signed by the committee's chairman.

On motion of Mr. Lang, the rules were suspended and the resolution, H. J. R. 75, was adopted.

H. 162 RE-REFERRED

On motion of Mr. Bank, the bill, H. 162, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Health.

RESOLUTION

The following resolution was introduced:

By Mr. King:

H. J. R. 76. WHEREAS, The Alabama Legislature finished the Regular Session in September of 1971; and

WHEREAS, The Legislature passed some 2,490 Acts that not only affect the lives and property of the residents of the State of Alabama, but the operations of city, county and State governments as well; and

WHEREAS, The Regular Session of the Legislature of 1971 has been adjourned for three months; and

WHEREAS, Approximately 1,000 of the 2,490 Acts have been distributed to city and county governments throughout the State; and

WHEREAS, City and county officials are under an extreme hardship not knowing what laws were passed and how they relate to their particular offices.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA That a joint committee of the Legislature be appointed by the Speaker of the House of Representatives and the President of the Senate, three members each from the respective chambers of the Legislature to investigate the systematic flow of copies of Acts from final signature of the Governor to distribution to the city and county governments of the State of Alabama; and

BE IT FURTHER RESOLVED That the appointed committee report back to the Legislature within four (4) legislative days a revised flow system on legislative Acts which will provide city and county government timely access to new laws of the State of Alabama.

The motion of Mr. King to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 76, was lost, lacking a four-fifths vote.

Yeas 30; Nays 17.

Yeas:

Messrs.:	Dill	Kinsey	Reid (R)	
Benton	Downing	Lutz	Roberts	
Boutwell	Ellis	McBride	St. John	
Carnes	Grainger	McDonald	Stokes	
Carter	Gray (F)	Manley	Taylor	
Cauthen	Grey (D)	Parker (H)	Waldrop	
Connell	Hale	Parker (T)	Wynot	
Coshatt	King	Reed (T)		—30

Nays:

Mr. Speaker	Drake	Meeks	Smith (K)	
Adwell	Harris	Merrill	Stubbs	
Bowers	Headley	Owens	Turner	
Brassell	Hobbie	Slate	Wallace	
Cottingham				—17

And the resolution, H. J. R. 76, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 54. To amend Act No. 439, S. 731, Regular Session 1971, approved August 26, 1971, which act provides for the operating expenses of certain county officers, in counties having a population of not less than 39,500, nor more than 41,750, by providing said expenses for the circuit clerk in such counties, retroactive to October 1, 1971.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 81. To amend Section 2, subsection III. A. (23) (m) of Act No. 2, Second Special Session, 1971, which provides for appropriations from the State General Fund for the payment of subsidies for the Tuberculosis and Chronic Lung Disorders treatment.

Also:

H. 24. Authorizing any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Also:

H. 26. To amend further Section 4 of Act No. 547, Regular Session, 1965, relating to the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000, approved August 20, 1965.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 151. Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971.

Also:

H. 123. To authorize the district attorney having jurisdiction in any county in the State of Alabama with a population of not less than 42,000 nor more than 49,500 to appoint an investigator or investigators and to prescribe their duties.

Also:

H. 153. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-second Judicial Circuit of Alabama.

Also:

H. 154. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the thirty-second judicial circuit.

Also:

H. 155. Relating to judicial procedure in the Thirty-second judicial circuit; regulating and providing further for the separation of the jury by consent in capital or noncapital felony cases in such circuit.

Also:

H. 156. To abolish the drawing of special venires in capital cases in the Thirty-second Judicial Circuit of Alabama.

Also:

H. 158. Relating to counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; to authorize the county governing bodies of such counties to appropriate $675.00 each for the relief of J. W. Messer, Sr., J. M. Noles, and Doug Allen.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McLain:

S. 120. To authorize the formation of professional corporations for the purpose of rendering professional services; to prescribe the manner of organization of such corporations; to limit the purposes of the organization of such corporations; to limit membership in or shareholders of such corporations to persons so licensed to practice in the State of Alabama; to regulate the naming of such corporations; to regulate the issuance of stock in such corporations; to regulate the rendering of professional services furnished by such corporations; to preserve professional relationships and regulations; to prohibit certain acts; to provide for severance of interests in such corporations; to provide for the death or disqualification of shareholders; to require the submission of annual certificates and reports; and to limit mergers or consolidations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 120. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions introduced on the Ninth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 64. CONGRATULATING MONROE ACADEMY FOR WINNING THE ALABAMA ASSOCIATION OF PRIVATE SCHOOL FOOTBALL CHAMPIONSHIP.

H. J. R. 66. MOURNING THE DEATH OF R. D. JORDAN.

H. J. R. 70. MOURNING THE DEATH OF THOMAS LANE BUTTS, SR.

On motion of Mr. Gloor, the resolutions were adopted en masse.

BILLS ON THIRD READING

And the bill:

H. 173. Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Chesnut
Adams	Boles	Carnes	Collins
Agee	Boutwell	Casey	Connell
Barkett	Brassell	Cauthen	Coshatt
Bassett	Burgess	Cherner	Cottingham

Crawford	Harris	Manley	Snell
Dill	Headley	Mathews	Stokes
Downing	Hearn	Meeks	Straiton
Drake	Hobbie	Merrill	Stubbs
Easters	Jackson	Mims	Taylor
Edwards	Jones (E)	Owens	Therrell
Ellis	Jones (F)	Parker (H)	Timmons
Gafford	King	Reed (T)	Turner
Gloor	Kinsey	Reid (R)	Waldrop
Goodwin	Lang	Reynolds	Wallace
Grainger	Lutz	Roberts	Warren
Gray (F)	McBride	St. John	Weeks
Grey (D)	McCluskey	Slate	Williams
Hale	McCorquodale	Smith (K)	Wynot
Hardin	McDonald	Smith (P)	

—79

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Smith (P) and McCluskey:

H. J. R. 77. CONGRATULATING RAYMOND STEELE FOR WINNING "PLAYER OF THE YEAR" FOR DEAF SCHOOLS OF AMERICA.

WHEREAS Raymond Steele, halfback for the Alabama State School for the Deaf football team has been selected "Player of the Year" for Deaf Schools of America for the season of 1971 by the sports staff of *The Deaf American,* a national magazine published for deaf institutes; and

WHEREAS this award that Raymond has won is similar to the Heisman Trophy in college football and is held in high esteem throughout the sports world of this nation; and

WHEREAS Raymond Steele is truly an outstanding football player who used his great speed, balance and determination to reach the pinnacle of American high school football; and

WHEREAS this promising young athlete possesses all of the finer qualities of a true Southern gentleman and is held in high esteem by all people with whom he associates; and

WHEREAS he has not only brought honor to himself but has also placed his home state of Alabama in the nation's "limelight" and has brought great pride and joy to all Alabamians; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That it extends its juvilant congratulations to Raymond Steele of the Alabama State School for the Deaf football team for winning the "Player of the Year" award for deaf schools of America.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to Raymond, and Chock Johnson, Superintendent of the Alabama State School for the Deaf in Talladega.

On motion of Mr. Smith (P), the rules were suspended and the resolution, H. J. R. 77, was adopted.

Also:

By Messrs. Smith (P) and McCluskey:

H. J. R. 78. CONGRATULATING THE ALABAMA STATE SCHOOL FOR THE DEAF.

WHEREAS the brilliant Alabama State School for the Deaf football team, "the Warriors", completed an outstanding season with eight wins and two losses and for this phenomenal feat the team received national recognition as the number one deaf school football team in the nation as selected by the sports staff of *The Deaf American,* a national magazine published for deaf institutes; and

WHEREAS this amazing football team did block, tackle and run with skill and enthusiasm throughout this long and hard season and displayed near perfect execution of these fundamentals of the game of football; and

WHEREAS this football team was blessed with abundant talent and placed itself in the annals of American high school football. This achievement reflects great credit upon the State of Alabama and adds to the marvelous heritage of Alabama high school football; and

WHEREAS this "number one" football team was guided by the astute leadership of the nation's "number one" Head Coach, Jimmy Norred, and aided by the other members of his staff including Assistant Coaches Alfred Deuel, Don Kearley and David Mostello; and

WHEREAS this legislature takes great pride in the esteemed honor won by this great football team; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it offers its proud congratulations to this great Alabama State School for the Deaf football team for its achievement of being selected the number one deaf school team in the nation.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to Head Coach Jimmy Norred, Chock Johnson, Superintendent of the Alabama State School for the Deaf, the assistant coaches and members of the football team.

On motion of Mr. Smith (P), the rules were suspended and the resolution, H. J. R. 78, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 185. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and require the county governing body in such counties to furnish automobile license tags for emergency vehicles owned by volunteer fire departments in unincorporated municipalities in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boles
Adams	Barkett	Benton	Boutwell

Brassell	Ellis	Lang	Slate
Burgess	Gafford	Lutz	Smith (K)
Callahan	Gloor	McBride	Smith (P)
Carnes	Goodwin	McCluskey	Snell
Casey	Grainger	McCorquodale	Stokes
Cauthen	Gray (F)	McDonald	Straiton
Cherner	Grey (D)	Manley	Stubbs
Chesnut	Hale	Mathews	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Harris	Merrill	Timmons
Coshatt	Headley	Mims	Turner
Cottingham	Hearn	Owens	Waldrop
Crawford	Hobbie	Parker (H)	Wallace
Dill	Jackson	Reed (T)	Warren
Downing	Jones (E)	Reid (R)	Weeks
Drake	Jones (F)	Reynolds	Williams
Easters	King	Roberts	Wynot
Edwards	Kinsey	St. John	—79

And the bill:

H. 187. To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Roberts
Adams	Dill	Jones (F)	St. John
Agee	Downing	King	Slate
Barkett	Drake	Kinsey	Smith (K)
Bassett	Easters	Lang	Smith (P)
Benton	Edwards	Lutz	Snell
Boles	Ellis	McBride	Stokes
Boutwell	Gafford	McCluskey	Straiton
Brassell	Gloor	McCorquodale	Stubbs
Burgess	Goodwin	McDonald	Taylor
Callahan	Grainger	Manley	Therrell
Carnes	Gray (F)	Mathews	Timmons
Casey	Grey (D)	Meeks	Turner
Cauthen	Hale	Merrill	Waldrop
Cherner	Hardin	Mims	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker (H)	Weeks
Connell	Hearn	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wynot
Cottingham	Jackson	Reynolds	—79

And the bill:

H. 186. To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections

3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Roberts
Adams	Dill	Jones (F)	St. John
Agee	Downing	King	Slate
Barkett	Drake	Kinsey	Smith (K)
Bassett	Easters	Lang	Smith (P)
Benton	Edwards	Lutz	Snell
Boles	Ellis	McBride	Stokes
Boutwell	Gafford	McCluskey	Straiton
Brassell	Gloor	McCorquodale	Stubbs
Burgess	Goodwin	McDonald	Taylor
Callahan	Grainger	Manley	Therrell
Carnes	Gray (F)	Mathews	Timmons
Casey	Grey (D)	Meeks	Turner
Cauthen	Hale	Merrill	Waldrop
Cherner	Hardin	Mims	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker (H)	Weeks
Connell	Hearn	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wynot
Cottingham	Jackson	Reynolds	—79

And the bill:

S. 35. To amend Section 1 of Act No. 206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Connell	Hardin	Mathews
Adams	Coshatt	Harris	Meeks
Agee	Cottingham	Headley	Merrill
Barkett	Crawford	Hearn	Mims
Bassett	Dill	Hobbie	Owens
Benton	Downing	Jackson	Parker (H)
Boles	Drake	Jones (E)	Reed (T)
Boutwell	Easters	Jones (F)	Reid (R)
Brassell	Edwards	King	Reynolds
Burgess	Ellis	Kinsey	Roberts
Callahan	Gafford	Lang	St. John
Carnes	Gloor	Lutz	Slate
Casey	Goodwin	McBride	Smith (K)
Cauthen	Grainger	McCluskey	Smith (P)
Cherner	Gray (F)	McCorquodale	Snell
Chesnut	Grey (D)	McDonald	Stokes
Collins	Hale	Manley	Straiton

Stubbs	Timmons	Wallace	Williams	
Taylor	Turner	Warren	Wynot	
Therrell	Waldrop	Weeks		—79

And the bill:

S. 27 (With Amendment). To amend Section 2, 3, 4, 5 and 6 of Act No. 2271 of the 1971 Regular Session of the Legislature of Alabama which Act relates to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Add at the end of Section 3 (A) of Section 1 of S. B. 27 the following:

"The chairman of the commission shall be a voting member only in case of a tie vote."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Roberts	
Adams	Dill	Jones (F)	St. John	
Agee	Downing	King	Slate	
Barkett	Drake	Kinsey	Smith (K)	
Bassett	Easters	Lang	Smith (P)	
Benton	Edwards	Lutz	Snell	
Boles	Ellis	McBride	Stokes	
Boutwell	Gafford	McCluskey	Straiton	
Brassell	Gloor	McCorquodale	Stubbs	
Burgess	Goodwin	McDonald	Taylor	
Callahan	Grainger	Manley	Therrell	
Carnes	Gray (F)	Mathews	Timmons	
Casey	Grey (D)	Meeks	Turner	
Cauthen	Hale	Merrill	Waldrop	
Cherner	Hardin	Mims	Wallace	
Chesnut	Harris	Owens	Warren	
Collins	Headley	Parker (H)	Weeks	
Connell	Hearn	Reed (T)	Williams	
Coshatt	Hobbie	Reid (R)	Wynot	
Cottingham	Jackson	Reynolds		—79

And the bill, S. 27, as thus amended, was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boles
Adams	Barkett	Benton	Boutwell

Brassell	Ellis	Lang	Slate
Burgess	Gafford	Lutz	Smith (K)
Callahan	Gloor	McBride	Smith (P)
Carnes	Goodwin	McCluskey	Snell
Casey	Grainger	McCorquodale	Stokes
Cauthen	Gray (F)	McDonald	Straiton
Cherner	Grey (D)	Manley	Stubbs
Chesnut	Hale	Mathews	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Harris	Merrill	Timmons
Coshatt	Headley	Mims	Turner
Cottingham	Hearn	Owens	Waldrop
Crawford	Hobbie	Parker (H)	Wallace
Dill	Jackson	Reed (T)	Warren
Downing	Jones (E)	Reid (R)	Weeks
Drake	Jones (F)	Reynolds	Williams
Easters	King	Roberts	Wynot
Edwards	Kinsey	St. John	—79

And the bill:

S. 92. (With Substitute): To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Was taken up.

S. 92 POSTPONED

On motion of Mr. Dill, the bill, S. 92 with pending substitute, was postponed to the Eleventh Legislative Day.

And the bill:

H. 189. To provide additional compensation for members of the Board of Registrars in all counties of this state having a population of 500,000 or more according to the most recent or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Headley
Adams	Cauthen	Edwards	Hearn
Agee	Cherner	Ellis	Hobbie
Barkett	Chesnut	Gafford	Jackson
Bassett	Collins	Gloor	Jones (E)
Benton	Connell	Goodwin	Jones (F)
Boles	Coshatt	Grainger	King
Boutwell	Cottingham	Gray (F)	Kinsey
Brassell	Crawford	Grey (D)	Lang
Burgess	Dill	Hale	Lutz
Callahan	Downing	Hardin	McBride
Carnes	Drake	Harris	McCluskey

McCorquodale	Parker (H)	Smith (P)	Turner	
McDonald	Reed (T)	Snell	Waldrop	
Manley	Reid (R)	Stokes	Wallace	
Mathews	Reynolds	Straiton	Warren	
Meeks	Roberts	Stubbs	Weeks	
Merrill	St. John	Taylor	Williams	
Mims	Slate	Therrell	Wynot	
Owens	Smith (K)	Timmons		—79

And the bill:

S. 100. (With Substitute): Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties and providing for additional compensation of members of the board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census, the board of registrars, in addition to the sessions now prescribed by law, shall meet during the months of February, March and April and remain in session daily, Sunday and legal holidays excepted, for the purpose of registering voters and performing all such other duties as may be prescribed by law, provided however, that no registration of voters may be made during the 10 day period next preceding any general, special or primary elections.

Section 2. In addition to any and all other expense allowances and compensation provided for by law, members of the board of registrars in such counties shall receive $5.00 per day for attending meetings of said board, to be paid out of the general fund of such counties.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Roberts
Adams	Dill	Jones (F)	St. John
Agee	Downing	King	Slate
Barkett	Drake	Kinsey	Smith (K)
Bassett	Easters	Lang	Smith (P)
Benton	Edwards	Lutz	Snell
Boles	Ellis	McBride	Stokes
Boutwell	Gafford	McCluskey	Straiton
Brassell	Gloor	McCorquodale	Stubbs
Burgess	Goodwin	McDonald	Taylor
Callahan	Grainger	Manley	Therrell
Carnes	Gray (F)	Mathews	Timmons
Casey	Grey (D)	Meeks	Turner
Cauthen	Hale	Merrill	Waldrop
Cherner	Hardin	Mims	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker (H)	Weeks
Connell	Hearn	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wynot
Cottingham	Jackson	Reynolds	—79

And the bill, S. 100, as thus amended, was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Roberts
Adams	Dill	Jones (F)	St. John
Agee	Downing	King	Slate
Barkett	Drake	Kinsey	Smith (K)
Bassett	Easters	Lang	Smith (P)
Benton	Edwards	Lutz	Snell
Boles	Ellis	McBride	Stokes
Boutwell	Gafford	McCluskey	Straiton
Brassell	Gloor	McCorquodale	Stubbs
Burgess	Goodwin	McDonald	Taylor
Callahan	Grainger	Manley	Therrell
Carnes	Gray (F)	Mathews	Timmons
Casey	Grey (D)	Meeks	Turner
Cauthen	Hale	Merrill	Waldrop
Cherner	Hardin	Mims	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker (H)	Weeks
Connell	Hearn	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wynot
Cottingham	Jackson	Reynolds	—79

And the bill:

H. 82. (With Amendment): To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in

the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Having been postponed from the Ninth Legislative Day, was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82 with pending amendment, was postponed to the Eleventh Legislative Day.

And the bill:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Having been postponed from the Ninth Legislative Day, was taken up.

H. 67 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was postponed to the Eleventh Legislative Day.

And the bill:

H. 115. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Having been postponed from the Ninth Legislative Day, was taken up.

H. 115 INDEFINITELY POSTPONED

On motion of Mr. McCorquodale, the bill, H. 115, was indefinitely postponed.

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Having been postponed from the Ninth Legislative Day, was taken up.

H. 179 POSTPONED

On motion of Mr. McDonald, the bill, H. 179, was postponed to the Eleventh Legislative Day.

And the bill:

H. 108. (With Amendment): To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend House Bill 108 by striking the period at the end of Section 1 and adding a comma and the words "as to the rules and regulations of the Public Service Commission only."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Robertson
Adams	Cross	Hobbie	St. John
Agee	Crowe	Jackson	Slate
Bank	Culver	King	Smith (K)
Barkett	Dill	Kinsey	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Drake	McBride	Stokes
Boutwell	Easters	McCorquodale	Straiton
Bowers	Edwards	McDonald	Stubbs
Brassell	Ellis	Manley	Taylor
Callahan	Flippo	May	Therrell
Carnes	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Gray (F)	O'Daniel	Waldrop
Cauthen	Grey (D)	Owens	Wallace
Cherner	Hale	Parker (H)	Weeks
Chesnut	Hardin	Reed (T)	Williams
Connell	Harris	Reid (R)	Wise
Coshatt	Headley	Reynolds	Wynot
Cottingham	Hearn	Roberts	

—79

And the bill, H. 108, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 5.

Yeas:

Mr. Speaker	Cross	Hobbie	Robertson
Adams	Crowe	Jackson	St. John
Agee	Culver	King	Smith (K)
Barkett	Downing	Kinsey	Smith (P)
Bassett	Easters	Lutz	Snell
Benton	Edwards	McBride	Stewart
Bowers	Ellis	McCorquodale	Stokes
Brassell	Flippo	McDonald	Straiton
Callahan	Goodwin	Manley	Stubbs
Carnes	Grainger	May	Taylor
Carter	Gray (F)	Merrill	Therrell
Casey	Grey (D)	Mims	Timmons
Cherner	Hale	O'Daniel	Turner
Chesnut	Hardin	Owens	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Weeks
Cottingham	Hearn	Reynolds	Wise
Crawford	Hill	Roberts	Wynot

—72

Nays:

Messrs.:	Dill	Slate	Williams	
Cauthen	Drake			—5

RECESS

On motion of Mr. Gloor, the House recessed until 5 o'clock p.m.

HOUSE RECONVENED

The hour of 5 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1. To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties and terms of office.

Also:

H. 123. To authorize the district attorney having jurisdiction in any county in the State of Alabama with a population of not less than 42,000 nor more than 49,500 to appoint an investigator or investigators and to prescribe their duties.

Also:

H. 151. Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971.

Also:

H. 153. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-second Judicial Circuit of Alabama.

Also:

H. 154. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the thirty-second judicial circuit.

Also:

H. 155. Relating to judicial procedure in the Thirty-second judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 156. To abolish the drawing of special venires in capital cases in the Thirty-second Judicial Circuit of Alabama.

Also:

H. 158. Relating to counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; to authorize the county governing bodies of such counties to appropriate $675.00 each for the relief of J. W. Messer, Sr., J. M. Noles, and Doug Allen.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 77. Congratulating Raymond Steele for winning "Player of the Year" for Deaf Schools of America.

Also:

H. J. R. 78. Congratulating the Alabama State School for the Deaf.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. May:

H. J. R. 79.

WHEREAS Marie M. Pate has held the position of teacher, supervisor, counselor and dean of instruction all of her working life in Conecuh and Escambia counties which is the attendance area of Jefferson Davis State Junior College.

WHEREAS Marie M. Pate has probably touched the lives more effectively educationally, morally and spiritually than any other living person now in education in Conecuh and Escambia counties.

WHEREAS Marie M. Pate has been a pillar of strength, guidance and direction for Jefferson Davis State Junior College in capacities of teacher, counselor, registrar and dean of instruction since before its first student was admitted.

WHEREAS It is the unanimous conviction of the people in the Jefferson Davis State Junior College attendance area that the name Marie M. Pate adds prestige and dignity to Jefferson Davis State Junior College.

NOW, THEREFORE BE IT RESOLVED That the Humanities Building now on the campus of Jefferson Davis State Junior College be named the Marie M. Pate Hall and the administration of Jefferson Davis State Junior College is hereby directed to change the name plate accordingly.

On motion of Mr. May, the rules were suspended and the resolution, H. J. R. 79, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 54. To amend Act No. 439, S. 731, Regular Session 1971, approved August 26, 1971, which act provides for the operating expenses of certain county officers, in counties having a population of not less than 39,500, nor more than 41,750, by providing said expenses for the circuit clerk in such counties, retroactive to October 1, 1971.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 77. Congratulating Raymond Steele for winning "Player of the Year" for Deaf Schools of America.

Also:

H. J. R. 78. Congratulating the Alabama State School for the Deaf.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 160. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."

Also:

H. 22. To amend Section 1 of Act #206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Also:

H. 53. To authorize any county having a population of 600,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the county suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, any city located in the county, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such county may be joint lessee with any other municipality in such county and that the obligations of any such county may be individual and separate or joint and several, to provide that the obligation of any such county under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such county under any such lease or contract in the budget of such county and that any such county shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such

contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, to provide that the approval of such lease or contract of lease by the governing body of any such county shall be sufficient and that no other approval, registration, audit or allowance shall be required, and to exempt any such contract or lease from all taxation, from the provisions of Chapter 6 of Title 12 of the Code of Alabama of 1940, as amended, and all other provisions of law with respect thereto.

Also:

H. 52. To authorize any city having a population of 300,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the city suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, the county in which any such city is located, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such city may be joint lessee with such county or with any other municipality in such county and that the obligations of any such city may be individual and separate or joint and several, to provide that the obligations of any such city under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such city under any such lease or contract in the budget of such city and that any such city shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, and to exempt any such contract or lease from all taxation and all other provisions of law with respect thereto.

Also:

H. 122. To authorize the county governing body of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the Judicial Circuit within such county; to repeal Act No. 51, H. 82, 1970 Special Session (Acts 1969–70, p. 2674) and other Acts which conflict with the provisions of this Act.

Also:

H. 140. To amend Act No. 1695, H. 2263, approved September 17, 1971, which relates to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the most recent federal decennial census, and creates a civil service board in said counties to assure the more efficient operation of the sheriff's department; amending such bill in relation to the work load of uniformed deputy sheriffs.

Also:

H. 181. To provide for the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than

45,500 nor more than 52,000 according to the most recent federal decennial census, and repealing Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, and other laws conflicting herewith.

Also:

H. 183. To amend Act No. 1878, H. 2122, Regular Session 1971, which provides for the establishment and operation of family court divisions in circuit courts of all counties having populations of not less than 175,000 nor more than 300,000, and providing for the selection and compensation of their officers, and administrative personnel, so as to provide further for the selection of the judge of said division and the compensation of his bailiff.

Also:

H. 148. To amend further the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), as amended, which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis; by revising the mode of disbursement of said funds, and making such revision retroactive.

Also:

H. 171. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Also:

H. 145. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; to establish a procedure for the implementation and control of all future annual salary increases or decreases for the License Commissioner in such counties.

Also:

H. 159. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 27. To amend Section 2, 3, 4, 5 and 6 of Act No. 2271 of the 1971 regular session of the Legislature of Alabama which act relates to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of

the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 79. Naming the Humanities Building at Jefferson Davis State Junior College in Escambia County the "Marie M. Pate Hall".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 12. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Also:

By Mr. Shelby:

S. 15. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewise effect.

Also:

By Mr. Shelby:

S. 16. Creating a presumption as to the delivery of instruments conveying interests in land, recorded either before or after the passage of this Act.

Also:

By Mr. Shelby:

S. 18. To further regulate the creation, exercise and termination of powers of attorney and to validate the exercise of certain powers of attorney now of record.

Also:

By Mr. Shelby:

S. 19. Limiting the Duration of Contracts for the Sale of Land and Limiting the Notice of Contracts for the Sale of Land recorded Either before or After the Effective Date of this Act.

Also:

By Mr. Shelby:

S. 20. To limit the duration of options to purchase land and the duration of notice of options heretofore or hereafter recorded.

Also:

By Mr. Shelby:

S. 21. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 12. Standing Committee on Judiciary.

S. 15. Standing Committee on Judiciary.

S. 16. Standing Committee on Judiciary.

S. 18. Standing Committee on Judiciary.

S. 19. Standing Committee on Judiciary.

S. 20. Standing Committee on Judiciary.

S. 21. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 8. Validating contracts entered into on Sunday either before or after the effective date of the Act, and repealing Section 21, of Title 9, Alabama Code of 1940.

Also:

By Mr. Shelby:

S. 9. Abolishing the requirement for the recitation of consideration in

deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 8. Standing Committee on Judiciary.

S. 9. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Noonan:

S. 113. To provide for the duties and compensation for the members of the Board of Equalization in all counties having a population of not less than 300,000 nor more than 500,000 according to the last federal decennial census.

Also:

By Mr. Pelham:

S. 121. Relative to municipalities in this state having a population of not less than 150,000 and not more than 300,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, convention and meeting facilities, providing ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity and providing off-street parking for the use of such enterprise; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor unless paid the reasonable value thereof; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance compa-

nies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; exempting any bonds issued under the act from the laws governing usury or prescribing or limiting interest rates; exempting the municipality from the provisions of Act No. 217 of the 1967 Special Session of the Legislature of Alabama, as amended, providing for competitive bidding, in connection with such properties and contracts and agreements in connection therewith; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 113. Standing Committee on Local Legislation No. 3.

S. 121. Standing Committee on Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 13. For bidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Also:

By Mr. Shelby:

S. 14. Curing certain defects in instruments affecting title to land recorded either before or after the effective date of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 13. Standing Committee on Judiciary.

S. 14. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Vacca:

S. 88. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty for the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 88. Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 17. Giving the protection afforded an innocent purchaser for value of those receiving quitclaim deeds or similar instruments either before or after the passage of this act.

Also:

By Mr. Shelby:

S. 11. Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a presumption as to the power of certain corporate officers; extending the effect of Section 58, of Act Number 414, Alabama Laws, Regular Session, 1959, dealing with the defense of ultra vires, to all corporations organized for private profit and giving retroactive effect to the provisions of this act.

Also:

By Mr. Register:

S. 80. To provide for the conviction of an accused and the payment of fines in cases involving violation of the traffic and motor vehicle laws of the State of Alabama and the municipalities thereof upon a written waiver of trial and a written plea of guilty, and without the personal appearance of the accused before the Court having jurisdiction of such case.

Also:

By Messrs. Cook, Pierce, Bailes, King, Wilder, Jones, Fine, Foshee, Gilmore and Lybrand:

S. 26. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 17. Standing Committee on State Administration.

S. 11. Standing Committee on Judiciary.

S. 80. Standing Committee on Judiciary.

S. 26. Standing Committee on Commerce and Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. O'Bannon:

S. 119. To provide for a State supplement to the Deputy District Attorney in the Thirty-first Judicial Circuit.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 119. Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:
By Messrs. Wilson, Givhan and Branyon:

S. 116. To provide that all former Governors of the State of Alabama upon reaching age sixty (60) shall be entitled to monthly retirement pay out of the General Fund of the State Treasury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 116. Standing Committee on Constitution and Elections.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:50 P.M. On January 5, 1972

H. 24

H. 26

H. 81

Delivered to the Governor at 5:20 P.M. On January 5, 1972

H. J. R. 77

H. J. R. 78

JOHN W. PEMBERTON,
Clerk.

H. 166 RE-REFERRED

On motion of Mr. Boles, the bill, H. 166, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Business and Labor.

INFORMAL RECESS

On motion of Mr. Gloor, unanimously approved, the House stood in informal recess.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, January 6, 1972

Pursuant to unanimous recess motion, the House continued in informal recess.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Friday, January 7, 1972

Pursuant to unanimous recess motion, the House continued in informal recess.

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Saturday, January 8, 1972

Pursuant to unanimous recess motion, the House continued in informal recess.

FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Sunday, January 9, 1972

Pursuant to unanimous recess motion, the House continued in informal recess.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Monday, January 10, 1972

Pursuant to unanimous recess motion, the House continued in informal recess.

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, January 11, 1972

The House convened at 2 o'clock p. m. The Speaker called the House to order.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor, Forest Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Carnes	Culver	Gafford
Adams	Carter	Dill	Gloor
Adwell	Casey	Doss	Goodwin
Baker	Cauthen	Downing	Grainger
Barkett	Chesnut	Drake	Gray (F)
Bassett	Collins	Easters	Grey (D)
Benton	Connell	Edwards	Hale
Boutwell	Coshatt	Ellis	Hardin
Bowers	Cottingham	Erdreich	Harris
Brassell	Crawford	Falkenburg	Headley
Burgess	Cross	Fite	Hearn
Callahan	Crowe	Flippo	Hill

Hobbie	May	Reynolds	Therrell
Jackson	Meeks	Roberts	Timmons
Jones (E)	Merrill	Robertson	Turner
Jones (F)	Mims	St. John	Turnham
King	Naramore	Slate	Waggoner
Kinsey	Nettles	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Wallace
Lutz	Parker (H)	Snell	Warren
McBride	Parker (T)	Stewart	Weeks
McCluskey	Perloff	Stokes	Williams
McCorquodale	Pruitt	Straiton	Wise
McDonald	Reed (T)	Stubbs	Wood
Manley	Reid (R)	Taylor	Wynot
Mathews			

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A quorum was present.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:25 A.M. on January 6, 1972:

H. 1

H. 123

H. 151

H. 153

H. 154

H. 155

H. 156

H. 158

JOHN W. PEMBERTON,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eleventh legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifteenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 100. Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties and providing for additional compensation of members of the board of registrars.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 112. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

H. 187. To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 54. Commending David Beverly for making the All Southeastern Conference Team.

Also:

H. J. R. 55. Commending Terry Beasley for his great football career at Auburn University.

Also:

H. J. R. 59. Mourning the death of Robert Lowry.

Also:

H. J. R. 64. Congratulating Monroe Academy for winning the Alabama Association of Private School Football Championship.

Also:

H. J. R. 66. Mourning the death of R. D. Jordan.

Also:

H. J. R. 69. Urging the bands of both Alabama and Auburn to play Dixie at their respective Bowl Games and requesting authorities of each Bowl to have an invocation given.

Also:

H. J. R. 70. Mourning the death of Thomas Lane Butts, Sr.

McDOWELL LEE,
Secretary.

LEAVES OF ABSENCE

On motion of Mr. McCorquodale, leave of absence was granted for Mr. Agee, due to illness and confinement in a hospital.

On motion of Mr. Smith (K), leave of absence was granted for Mr. O'Daniel due to illness and confinement in a hospital.

On motion of Mr. McBride, leaves of absence were granted for Messrs. Boles and Cherner.

On motion of Mr. Culver, leave of absence was granted for Mr. Bank due to absence from the State.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

H. 230. (With Substitute): To amend Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offer-

ing for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 131. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

S. 9. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

S. 8. Validating contracts entered into on Sunday either before or after the effective date of the Act, and repealing Section 21, of Title 9, Alabama Code of 1940.

S. 12. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

S.13. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

S. 15. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewide effect.

S. 19. Limiting the Duration of Contracts for the Sale of Land and Limiting the Notice of Contracts for the Sale of Land recorded Either before or After the Effective Date of this Act.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 216. To amend the title and Sections 2 and 4 of Act No. 4, S. 53, Regular Session 1969, (Acts 1969, p. 297) which Act permits corporations to pay a rate or rates of interest not to exceed 15% per annum on the loan or forbearance of money having an original principal balance of more than

$10,000 and less than $100,000, and permits a corporation to pay such rates on loans in excess of $100,000 as that corporation may determine under certain restrictions, in order to extend such loan provisions to general and limited partnerships.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 193. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

S. 102. To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 202. To amend further Act No. 672, S. 99 of the Regular Session of 1965 (Acts 1965, p. 1208), which is known as the Farmers Market Authority Act, said amendment relating to the annual salary of the Administrator of the Farmers Market Authority.

H. 218. To make a supplemental appropriation to the Farmers Market Authority for the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 192. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

H. 195. Relating to counties having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census, to authorize the county commission of such counties to appropriate

an amount not to exceed $5,200 out of the general fund for the relief of Walter L. Nelson.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 200 (with substitute). Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to authorize payment of certain expenses of the judge of probate.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 197. Relating to counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census; permitting the county governing body to employ an additional deputy sheriff.

H. 210. To amend Sections 1 and 2 of Act No. 175, H. 460, Regular Session 1965, (Acts 1965, p. 246), which provides for an increase in the compensation of the coroner and deputy coroner of certain counties classified on a population basis.

H. 211. To amend Act No. 583, H. 1479, Regular Session 1971, entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census," amending the title and Section 2 of such Act so as to delete from the enumeration of the officers entitled to the expense allowance thereby provided the judge of the county court and to provide for the payment of travel expenses outside the county on county business in addition to the prescribed expense allowances.

H. 217. To alter and re-arrange the boundary lines of the town of Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

H. 219. To amend Act No. 404, H. 221, Special Session, 1966 (Acts of 1966, p. 548) entitled "An Act To abolish the office of county comptroller of Walker County and to establish in lieu thereof the office of county treasurer of Walker County; to provide for the election of the county treasurer and to prescribe his powers, duties, term and compensation," so as to require and regulate the investment of certain surplus county funds and prescribe the use of interest which accrues on such investment; and to place certain duties relative thereto on the county treasurer.

H. 220. Relating to Lamar County, providing further for the election of the members of the governing body of said county.

H. 221. To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County,

by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

H. 228. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

H. 229. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

S. 52. To amend further Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties having a population of not less than 13,000 nor more than 13,250.

S. 95. Relating to counties having a population of not less than 22,250 nor more than 23,000, according to the last or any subsequent federal decennial census; providing an expense allowance for the probate judge of such county.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 215. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Crowe:

H. J. R. 80. COMMENDING THE CITY OF SUMITON, THE CITY COUNCIL, THE MAYOR AND THE CITIZENRY FOR THE DEDICATION OF THEIR NEW MUNICIPAL BUILDING.

WHEREAS on January 9, 1972, the City of Sumiton dedicated its new municipal building; this building is to be known throughout the land as the Sumiton City Hall Building; and

WHEREAS this beautiful new monument of progress consists of the council chamber, utilities offices, public library and the fire house and adds much beauty to the town of Sumiton and the State of Alabama; and

WHEREAS through the pioneering spirit of Mayor Gwin T. Wells and the members of the City Council including W. C. Bussey, J. B. Scurlock,

Kenneth Wilkie, Kyle Cooke and James M. Cook this great dream has become a lasting reality and a model example of progress for other cities in this nation; and

WHEREAS many noted guests were present for this historic occasion including the Honorable James B. Allen, Senator, United States Congress, the Honorable John Sparkman, Senator, United States Congress and the Honorable Tom Bevill, Representative, Congress of the United States; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its congratulations to the City of Sumiton, the Sumiton City Council, the Mayor of Sumiton and its citizenry for the great example and monument of progress in the construction and dedication of its new municipal building.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Mayor of Sumiton and each member of the Sumiton City Council.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 80, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 81. Mourning the Death of Henry Ward McMillan.

WHEREAS, Henry Ward McMillan, age 49, and a well-known Jasper business executive died recently in Birmingham; and

WHEREAS, Henry Ward McMillan was active in the economic, social and political affairs of his community. His outstanding record includes service in his country's armed services during World War II and also he was an active member of the Dawson Memorial Church; and

WHEREAS, This Legislature wishes to express its deep sorrow at the premature passing of this outstanding man who chose to take an active part in the world he lived in; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of Henry Ward McMillan, a distinguished business man, and offers condolences to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 81, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 82. MOURNING THE DEATH OF GEDDES SELF, SR.
WHEREAS Geddes Self Sr., age 68, and a distinguished Alabama educator recently passed away at Jasper; and

WHEREAS Geddes Self Sr., had an outstanding background of educational training and experience which gave him excellent qualifications to serve

young students. He earned both his B.S. and M.S. at Auburn University where he was a member of the varsity football and baseball squads; and

WHEREAS he devoted his life to the betterment and improvement of education in Alabama. He gave able and distinguished leadership and served as Director of Secondary Education of the State of Alabama and as principal of several high schools in the state, including fourteen years as principal of Walker County High School. Among other honors received were election as president of the State Principals Association and of Kappa Phi Kappa; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of this distinguished educator, Geddes Self Sr., and expresses its deep sorrow to members of his family.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 82, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 83. MOURNING THE DEATH OF MURRAY CHESLEY ARGO, SR.

WHEREAS this legislature has learned of the recent death of Murray Chesley Argo, Sr., age 72 and a native of Walker County; and

WHEREAS this distinguished Jasper businessman, founder of M. C. Argo Furniture Company, contributed immeasurably to the success of his home town's economic and social community and was ever-ready to come to the aid of his neighbors in time of need; and

WHEREAS Murray Chesley Argo, Sr., was of a gentle disposition and active in the civic affairs of his community. He was a member of the Masons and was a Christian man who was an active and loyal member of the Westside Baptist Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of this outstanding business executive, Murray Chesley Argo, Sr., and expresses deep sorrow to his family for this irreparable loss.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 83, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 84. COMMENDING EDGAR ALLAN POE UPON HIS ELECTION AS PRESIDENT OF THE GRIDIRON CLUB.

WHEREAS Edgar Allan Poe, a native of Jasper, was elected President

of the Gridiron Club, an institution unique in American journalism. This Club was started in 1885 and active membership is limited to fifty Washington-based newspaper correspondents; and

WHEREAS Edgar Allan Poe began his newspaper career on the Walker County "Mountain Eagle," working with his late uncle, the editor W. W. Gunter; and

WHEREAS with his excellent judgment and reporter's "eye" he covered Louisiana politics during the Huey Long era, reported on the Louisiana and Mississippi legislatures, served as Mississippi correspondent and a war correspondent in the Pacific during World War II before coming to Washington as a correspondent for the New Orleans Times-Picayune; and

WHEREAS he has been honored with many awards and citations for his outstanding reporting including selection as vice president of the White House Correspondents Association, treasurer of the Overseas Writers, president of the Washington Chapter of Sigma Delta Chi, a former member of the Standing Committee of Correspondents (at the United States Capitol) and in 1967 he was cited for "distinguished Washington correspondence" by the University of Alabama Alumni, National Capital Charter; and

WHEREAS since 1885 this country's "biggest wheels" have been spoofed in skits and songs and sizzled on the verbal griddle by the Gridiron Club. However, this legislature feels sure that the best is yet to come due to the introduction of "Alabama wit" into the leadership of this distinguished club; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it offers thundering congratulations to Edgar Allan Poe for his election to the office of President of the Gridiron Club.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to Mr. Poe.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 84, on the Clerk's desk for one legislative day.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Collins, Lyons and Callahan (With Notice and Proof):

H. 231. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Local Legislation No. 3.

Notice and Proof H. 231:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the city of Prichard.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary line between the city of Mobile and the City of Prichard in Mobile County shall be altered and rearranged so as to incorporate within the city of Prichard the following described territory which now lies within the corporate limits of the city of Mobile, to-wit:

"Begin at a point on the centerline of Alley No. 7 in the Owens Division of the St. Louis Tract as shown by map of the survey of said division of the St. Louis Tract, as recorded in Deed Book 220 N. S., Page 291-3 of the records in the Probate Office of Mobile County, Alabama, said point being where the centerline of Alley No. 7 intersects the centerline of Stanton Road (Anton Street) said point is also a point on the boundary line between the City of Mobile and the City of Prichard. Thence run North 32 degrees-11′ West for a distance of 698.92 feet along said boundary between the cities to the half section line of section 31, Township 3 South, Range 1 West; Thence West along said half section line which is also the boundary between said cities to the Western boundary of said St. Louis Tract; Thence Southeastwardly along the said Western boundary of said St. Louis Tract to the centerline of said Alley No. 7; Thence Northeastwardly along said Alley No. 7 to the Point of Beginning."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley, being sworn, says that she is bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Dec. 17, 24, 31, 1971 and Jan. 7, 1972.

JUDY BEASLEY.

Sworn to and subscribed before me this 7th day of Jan., 1972.

E. E. KOCH,
Notary Public.

By Mr. Stewart:

H. 232. To amend Act No. 730, Acts of Alabama, Reg. Sess. 1967, approved September 8, 1967, to authorize, provide for, and regulate the reimbursement out of the state treasury of certain expenses incurred by judges of Alabama attending and participating in the National College of State Trial Judges and other colleges and conferences.

Judiciary.

By Messrs. Drake and Williams:

H. 233. Relating to highways; to control and regulate the erection and

maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and The National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Commerce and Transportation.

By Messrs. Drake and Williams:

H. 234. To amend Section 5 of Act No. 90, S. 66, 1971 First Special Session, approved May 12, 1971, entitled "An Act To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System; and to make conditional allocations to cities and counties for construction, reconstruction, and improvement of public roads and bridges," so as to provide that the appropriations made under said Section 5 for use in matching federal funds for constructing public roads and bridges may be increased by the State Highway Director as is necessary to secure available federal funds.

Commerce and Transportation.

By Messrs. Drake and Williams:

H. 235. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the highway Director to adopt applicable Federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, Recompiled 1958; to provide how this Act may be cited; and to provide a severability clause."

Commerce and Transportation.

By Mr. Owens:

H. 236. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designa-

tion and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; providing appropriation therefor; and repealing Act No. 542, N. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Judiciary.

By Messrs. Hardin, Bassett and Edwards:

H. 237. To provide an allowance to the Judge of the Second Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Local Legislation No. 1.

By Messrs. Hardin and Bassett (With Notice and Proof):

H. 238. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," amending such act in relation to the term of such members.

Local Legislation No. 1.

Notice and Proof H. 238:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," amending such act in relation to the terms of such members.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 219, Acts of Alabama, Regular Session, 1949, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," as amended, is further amended to read as follows:

"Section 2. One associate member shall be elected from each of the four commissioners' districts into which the county is now divided by law.

Each associate member must be a resident and qualified elector of the district he represents, and shall be nominated and elected by the qualified electors of that district.

The chairman of the board must be a resident and qualified elector of Butler County, and shall be nominated and elected by the qualified electors of the entire county. The chairman elected at the general election in 1972 shall be elected for a term of two years, commencing on the second Tuesday in January, 1973. The associate members elected at the general election in 1972 from the first and third commissioners' districts shall be elected for terms of four years commencing on the second Tuesday in January, 1973, and the associate members elected at said election in 1972 from the second and fourth commissioners' districts shall be elected for a term of six years commencing on said second Tuesday in January, 1973. After the expiration of the terms of the members elected in 1972, their successors shall each be elected for terms of six years and until their successors are elected and qualified; and such terms shall commence on the second Tuesday in January immediately following such members' election."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 2, Dec. 9, Dec. 16, and Dec. 23, all in the year 1971.

W. E. HARDIN.

Sworn to and subscribed before me Dec. 28, 1971.

PAULINE B. FULTON,
Notary Public.

By Messrs. Hardin and Bassett:

H. 239. To amend Section 18 of An Act Entitled "An Act Requiring The Registration And Licensing Of Barbers And Barber Apprentices, And Barber Colleges, Creating For The Administration Of This Act A State Board Of Barber Examiners, And Defining Violation Of This Act And Prescribing Penalties Therefor."

Local Legislation No. 1.

By Messrs. Carter and Cross (With Notice and Proof):

H. 240. To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

Local Legislation No. 1.

Notice and Proof H. 240:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

Be It Enacted by the Legislature of Alabama:

Section 1. The general administration and supervision of the public schools and educational interest of the City of Athens, Alabama, shall be vested in a City Board of Education, to be composed of seven members who shall be residents of such city, and who shall not be members of the City Council or Commission. The members of such City Board of Education, who shall, except as hereinafter provided, serve without compensation, shall be chosen solely because of their character and fitness, but no person shall be appointed or elected to this Board under the provisions of this section who is in any way subject to the authority of the Board.

Section 2. Immediately upon the passage and approval of this act, the City Council or Commission shall elect two additional members of the Board of Education of the City of Athens to serve in addition to those now provided by law. The term of one of the members so appointed shall be designated by the Council or Commission to expire in April of 1973. The term of one of the members so appointed shall be designated by the Council or Commission to expire in April of 1976. Thereafter the terms of all members of the Board of Education of the City of Athens shall be five years. The terms of the remaining five members of the Board of Education of the City of Athens holding office at the time of the passage of this act shall expire in accordance with their original appointments. Annually, at the regular meetings of the City Council or Commission in April the said Council or Commission shall elect a member or members of the Board of Education of the City of Athens to succeed those whose term or terms of office expire that year. In the event of a vacancy in the membership of the Board of Education of the City of Athens, by resignation or otherwise, the fact shall be reported to the City Council or Commission by the said Board, and the said Council or Commission shall elect a person to fill the vacancy for the unexpired term.

Section 3. All laws or parts of laws in conflict with this act are hereby repealed.

Section 4. The provisions of this act are declared to be severable. If any part is declared invalid in any application, such declaration shall not affect the part which remains.

Section 5. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Athens LC News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 17, 1971, December 24, 1971, December 31, 1971 and January 7, 1972.

BOB BRYAN.

Sworn to and subscribed before me, this January 7, 1972.

W. R. NELSON,
Notary Public.

My Commission Expires: July 16, 1974.

By Messrs. Doss, Roberts, Jones (E), Jones (F), Gloor, Erdreich, Falkenburg, Parker (H), Stewart, Naramore, Cauthen, Gafford, Manley, Lyons, Crowe, Bowers, Flippo, Hardin, Agee, McCorquodale, Bassett, Brassell, Adams, Barkett, Straiton, Dill, Adwell, Nettles, Stubbs, Mims, Parker (T), Merrill, Bank, Robertson, Owens, Ellis, Wynot, Lutz, Carter, Hearn, Smith (P), Boles, St. John, McBride, Timmons, Weeks, Boutwell, Grainger, Drake, Burgess, Callahan, Perloff, Warren, Stokes, Harris, Collins, Cherner, Waggoner, McDonald, Meeks, Wallace, Cross, Taylor, Culver, Goodwin, Reynolds, Coshatt, Lang, Reed (T), Gray (F), Headley, Carnes, Waldrop, Edwards, Chesnut and Therrell:

H. 241. To amend Section XI of Act No. 399 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any group of citizens of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

Commerce and Transportation.

By Messrs. Doss, Roberts, Jones (E), Jones (F), Gloor, Falkenburg, Parker (H), Stewart, Naramore, Cauthen, Crowe, Flippo, Manley, Gafford, Lyons, Bowers, Hardin, Agee, McCorquodale, Bassett, Brassell, Erdreich, Adams, Barkett, Straiton, Dill, Adwell, Stubbs, Mims, Parker (T), Nettles, Merrill, Bank, Owens, Ellis, Wynot, Carter, Hearn, Smith (P), Boles, St. John, McBride, Timmons, Robertson, Lutz, Weeks, Boutwell, Grainger, Drake, Burgess, Callahan, Perloff, Warren, Stokes, Harris, Collins, Cherner, Waggoner, McDonald, Meeks, Wallace, Cross,

Culver, Goodwin, Reynolds, Coshatt, Lang, Reed (T), Gray (F), Headley, Taylor, Carnes, Waldrop, Edwards, Chesnut and Therrell:

H. 242. To amend Section V of Act No. 399 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

Commerce and Transportation.

By Messrs. Doss, Roberts, Jones (E), Gloor, Falkenburg, Stewart, Parker (H), Robertson, Naramore, Flippo, Crowe, Cauthen, Gafford, Manley, Lyons, Bowers, Erdreich, Hardin, Agee, McCorquodale, Bassett, Brassell, Adams, Barkett, Straiton, Dill, Adwell, Nettles, Stubbs, Mims, Parker (T), Merrill, Bank, Owens, Ellis, Wynot, Carter, Hearn, Smith (P), Boles, St. John, McBride, Timmons, Lutz, Weeks, Boutwell, Grainger, Drake, Burgess, Callahan, Perloff, Warren, Stokes, Jones (F), Harris, Collins, Cherner, Waggoner, McDonald, Meeks, Wallace, Cross, Culver, Goodwin, Reynolds, Coshatt, Lang, Reed (T), Gray (F), Headley, Taylor, Carnes, Waldrop, Edwards, Chesnut and Therrell:

H. 243. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this Act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

Commerce and Transportation.

By Messrs. Doss, Roberts, Jones (E), Erdreich, Gloor, Falkenburg, Jones (F), Parker (H), Stewart, Naramore, Crowe, Cauthen, Gafford, Manley, Lyons, Bowers, Flippo, Hardin, Agee, McCorquodale, Bassett, Brassell, Robertson, Adams, Barkett, Straiton, Dill, Nettles, Adwell, Stubbs, Mims, Parker (T), Merrill, Bank, Owens, Ellis, Wynot, Carter, Hearn, Smith (P), Boles, St. John, McBride, Timmons, Lutz, Weeks, Boutwell, Grainger, Drake, Callahan, Burgess, Perloff, Warren, Stokes, Harris, Collins, Cherner, Waggoner, McDonald, Meeks, Wallace, Cross, Culver, Goodwin, Reynolds, Coshatt, Lang, Reed (T), Gray (F), Headley, Taylor, Carnes, Waldrop, Edwards, Chesnut and Therrell:

H. 244. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface min-

ing and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

Commerce and Transportation.

By Messrs. Doss, Roberts, Jones (E), Erdreich, Gloor, Falkenburg, Stewart, Parker (H), Jones (F), Naramore, Crowe, Cauthen, Gafford, Manley, Lyons, Bowers, Flippo, Hardin, Agee, McCorquodale, Bassett, Brassell, Robertson, Adams, Lutz, Barkett, Straiton, Dill, Adwell, Stubbs, Mims, Parker (T), Merrill, Bank, Nettles, Owens, Ellis, Wynot, Carter, Hearn, Smith (P), Boles, St. John, McBride, Timmons, Taylor, Weeks, Boutwell, Grainger, Drake, Burgess, Callahan, Perloff, Warren, Stokes, Harris, Collins, Cherner, Waggoner, McDonald, Meeks, Wallace, Cross, Culver, Goodwin, Reynolds, Coshatt, Lang, Reed (T), Gray (F), Headley, Carnes, Waldrop, Edwards, Chesnut and Therrell:

H. 245. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

Commerce and Transportation.

By Messrs. Lyons, Doss, Gloor and McBride:

H. 246. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to St. Martin's in the Pines.

Public Welfare.

By Mr. Easters:

H. 247. To amend Section 1 of Act No. 1165, H. 1509, Regular Session 1971, approved September 7, 1971, which relates to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; authorizing an expense allowance for the assistant district attorney of the inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

Local Legislation No. 1.

By Mr. Easters:

H. 248. To amend Section 1 of Act No. 1166, H. 1510, Regular Session 1971, approved September 7, 1971, which relates to counties having

populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; authorizing an expense allowance for the judge of inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

Local Legislation No. 1.

By Mr. Merrill:

H. 249. Providing an appropriation of $150,000 from the General Fund of the State of Alabama for the use of the legislature for equipment and repairs necessary in the Senate and House.

Judiciary.

By Messrs. Grainger, Wise, Erdreich, Timmons, Wallace, Naramore, Benton, Hardin, Smith (K), Barkett, Edwards, King, Lutz, Hearn and Hale:

H. 250. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Conservation.

By Messrs. Lutz, Grainger, Hearn and King:

H. 251. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Health.

By Messrs. King, Grainger, Hale, Hearn and Lutz:

H. 252. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Madison County shall be made.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Lutz, Grainger, Hearn and King:

H. 253. Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

Local Legislation No. 4.

By Messrs. Hearn, Grainger, King and Lutz:

H. 254. To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties.

Local Legislation No. 4.

By Messrs. King, Hearn, Lutz and Grainger:

H. 255. To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Local Legislation No. 4.

By Messrs. Lutz, Grainger, King and Hearn (With Notice and Proof):

H. 256. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualificaions, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

Local Legislation No. 4.

Notice and Proof H. 256:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions for the salary of the additional judge.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be two judges for the Madison County Court, which was created by Act No. 661, Acts of Alabama, 1957, Vol. 2, page 1003. The judge currently serving as judge of the Madison County Court when this Act becomes effective shall be judge Number One of such court and the additional judgeship hereby created shall be judge Number Two of such court. A judge for the position of judgeship Number Two on the court shall be elected at the general election in November, 1972. He shall take office as soon as he has qualified thereafter and shall serve for a term of six years and until the first Monday after the second Tuesday in January, 1979, and until his successor has been elected and has qualified. At the general election held in 1978 and every six years thereafter a judge for judgeship Number Two of the Madison County Court shall be elected by the qualified voters of Madison County. The additional judge for the Madison County Court provided for by this Act shall have and exercise all the jurisdiction, powers, rights and authority conferred on the present judge of the Madison County Court by said Act No. 661 of the Regular Session of 1957. He shall in the same manner receive the same compensation and allowances as the present judge of the Madison County Court does.

The additional judge provided for by this Act shall take the same oath of office, possess the same qualifications, be subject to the same penalties and obligations, and perform the same duties as any other judge of the Madison

County Court, however, the present judge of the Madison County Court shall be the presiding judge of such court until the expiration of his term of office, and after the expiration of his term of office, the judge who has been in office as judge of such court the longest, shall be the presiding judge. If neither of them has been in office longer than the other, then the judge who is the oldest shall be the presiding judge. It shall be the duty of the presiding judge to supervise the administrative functions of the Madison County Court, however, all the judges of such court shall have authority to direct activities of the Madison County Court so long as the orders of the associate judge do not conflict with the orders of the presiding judge.

Section 2. If the judge for position Number One and the judge for position Number Two are both holding court at the same time, then the judge for Place Number Two shall have authority to order the sheriff of Madison County to furnish him a deputy to serve as bailiff of the court.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gary Buckner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 30, 1971, Jan. 4, and 10, 1972.

GARY BUCKNER.

Sworn to and subscribed before me Jan. 10, 1972.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Flippo and Hill:

H. 257. Relating to counties having a population of not less than 65,500 nor more than 75,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Local Legislation No. 1.

By Messrs. Baker, Chesnut, Coshatt and Carnes:

H. 258. To further amend Act No. 288, approved July 7, 1945, (Gen-

eral Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Judiciary.

By Messrs. Pruitt, Jackson and Manley:

H. 259. To amend Section 89, Title 36, Code of Alabama 1940 as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, ten inches.

Highway Safety.

By Mr. Coshatt (With Notice and Proof):

H. 260. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 260:

STATE OF ALABAMA
ST. CLAIR COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Pell City in St. Clair County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

That portion of the South one-half of Section 26, Township 17 South, Range 3 East, lying East of Highway 231 and all that portion of the North one-half of Section 35, Township 17 South, Range 3 East lying East of Highway 231 being above the 465 foot contour elevation line as last established by the United States Coast and Geodetic Survey.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was

Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 15, 22, 29, 1971, and January 5, 1972.

ROBERT D. CORNETT.

Sworn to and subscribed before me January 5, 1972.

ANNE T. MILAM,
Notary Public.

By Messrs. Barkett, Hardin and Owens:

H. 261. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Local Government.

By Mr. Reid (R):

H. 262. To authorize the county boards of education in all counties having populations of not less than 26,725 nor more than 27,250, according to the last or any subsequent federal decennial census, to furnish certain supplies and services, used for educational purposes, heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Local Legislation No. 1.

By Mr. Reid (R):

H. 263. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; authorizing the County Board of Education to relocate their offices to new facilities at their discretion.

Local Legislation No. 1.

By Messrs. Connell and Crawford:

H. 264. Relating to counties having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to authorize the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Local Legislation No. 1.

By Messrs. Jones (F), Harris, Straiton and Hobbie:

H. 265. To make appropriations from the Alabama Special Education Trust Fund in the State Treasury for the use and benefit of the Alabama Industrial School, Mt. Meigs, Alabama.

Health.

By Messrs. Adwell and Bowers:

H. 266. To provide that any municipality of the state may authorize any policeman or other employee of such municipality to assist the policemen or other employees of any other municipality of the state in the performance of undercover work in such other municipality or its police jurisdiction for the purpose of enforcing the laws of the state or ordinances of such other municipality relating to the illegal possession, use, sale or disposition of narcotic drugs, marijuana or any other drug enumerated in Section 256 of Title 22, Code of Alabama of 1940, as amended or the illegal possession or sale of alcoholic or malt beverages when such aid is requested in writing on behalf of such other municipality by the Mayor, or other chief executive officer thereof, and to prescribe the conditions under which such undercover work may be performed.

Judiciary.

By Messrs. Straiton, Jones (F), Coshatt and Drake:

H. 267. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Insurance.

By Messrs. Stubbs, Headley and Owens:

H. 268. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. Hobbie, Culver, Warren, Easters, Headley, Lang, Jackson, Stubbs, Bassett, Carter, Robertson, Barkett, Connell, Smith (P), Jones (F), and Nettles:

H. 269. To establish a code of ethics for governmental affairs in the State of Alabama for elected and appointed State officials members of the Legislature and members of boards and commissions; to establish the Alabama Board of Ethics for State Officials and fix its powers and duties in connection with said code with respect to State officials, members of the Legislature, and members of boards and commissions, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Judiciary.

By Messrs. Stewart, Mims, Warren, Fite, Doss, Ellis and Erdreich:

H. 270. To be known as the "Consumer Protection Bill," prohibiting the commission of certain fraudulent and deceptive practices; creating the

Alabama Consumer Council and providing for the membership and powers thereof; creating, within the Department of Agriculture and Industries, a Division of Consumer Services and prescribing the duties thereof; providing for administration and enforcement of the Act by the Commissioner of Agriculture and Industries and by the Attorney General, respectively; providing penalties; providing appropriations.

Ways and Means.

By Messrs. Mims, Warren, Wood, Collins, McCorquodale and Taylor:

H. 271. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Public Welfare.

By Messrs. Mims, Coshatt, Warren and Wood:

H. 272. To amend Section 5 of Act No. 202, Acts of Alabama, Regular Session, 1953, as amended by Act No. 653, Acts of Alabama, Regular Session, 1965.

Public Welfare.

By Messrs. Mims, Warren, Jones (F), Burgess and Wood:

H. 273. To amend Title 42, Section 8 of the Code of Alabama 1940, as amended, so as to liberalize the conditions under which prisoners may be given temporary paroles and furloughs.

Public Welfare.

By Messrs. Mims, Warren and Wood:

H. 274. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

Public Welfare.

By Messrs. Mims, Warren and Wood:

H. 275. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Public Welfare.

By Messrs. Mims, Warren and Wood:

H. 276. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

Public Welfare.

By Messrs. Collins and Roberts:

H. 277. To regulate purchases of explosives; to establish technical qualifications of users of explosives; and to prescribe penalties.

Judiciary.

By Mr. Collins:

H. 278. To amend the title and Sections 2 and 4 of Act No. 4, S. 53, Regular Session 1969, (Acts 1969, p. 297) which Act permits corporations to pay a rate or rates of interest not to exceed 15% per annum on the loan or forbearance of money having an original principal balance of more than $10,000 and less than $100,000, and permits a corporation to pay such rates on loans in excess of $100,000 as that corporation may determine under certain restrictions, in order to extend such loan provisions to general and limited partnerships.

Judiciary.

By Mr. Grey (D):

H. 279. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants, according to the last or any subsequent federal decennial census; to provide an additional allowance for all salried deputies of such counties.

Local Legislation No. 1.

By Messrs. St. John and Drake:

H. 280. To repeal Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971, entitled, "An act relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court."

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 281. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

Judiciary.

By Mr. Hill:

H. 282. Relating to the operation of vehicles in this state; amending further Code of Alabama 1940, Title 36, Sections 2 and 3, so as to provide that the driving anywhere in the state, not just on highways, of vehicles of all kinds, not just motor vehicles, by persons under the influence of any narcotics or drug or by intoxicated persons or the driving thereof recklessly shall be offenses proscribed by such sections.

Judiciary.

By Messrs. Hill and Flippo:

H. 283. Relating to the suspension of drivers' licenses; amending Sec-

tion 68 of Title 36 so as to stay certain suspension orders pending a hearing upon request of the licensee.

Judiciary.

By Messrs. Turner, Williams and Connell:

H. 284. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear materials contained therein and all reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise used or useful in the production of electricity by persons regularly engaged in furnishing electricity to any person or persons from state, county and municipal taxes, licenses, fees and excises.

Commerce and Transportation.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Lyons:

H. J. R. 85. TO CREATE AN INTERIM LEGISLATIVE COMMITTEE TO STUDY THE MODERNIZATION OF THE LEGISLATURE AND TO AUTHORIZE SUCH COMMITTEE TO EMPLOY AN INDEPENDENT AGENCY TO ASSIST IN SUCH STUDY.

WHEREAS modernization of the structures and procedures of state legislatures is recognized as a worthwhile desirable goal of all state legislatures; and

WHEREAS modernization of structures and procedures leads to an effective and responsive state government; and

WHEREAS many of the great State of Alabama's sister states have already undertaken modernization of the structures and procedures of their legislatures or are in the process of such undertaking; and

WHEREAS the citizens of Alabama would be greatly benefited by the modernization of structures and procedures of our state legislature; and

WHEREAS a study of the experiences of other states as they proceeded with modernization would be a necessary step in the efforts of Alabama to bring modernization of structures and procedures to our State; and

WHEREAS substantial savings would be achieved by the employment of an independent agency especially skilled in such studies; and

WHEREAS the Eagleton Institute of Politics of Rutgers University has conducted comprehensive studies of many other states, including Mississippi, Maryland, Rhode Island, Wisconsin and Florida; and

WHEREAS the Eagleton Institute of Politics of Rutgers University is recognized as a competent independent agency in this particular field; and

WHEREAS substantial savings and time and money could be achieved by the employing of such an independent agency to conduct a study of the Alabama legislative procedure and structure; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, There is hereby established an inter-

im committee on legislative modernization to be made up of three members of the House of Representatives appointed by the Speaker and three members of the Senate appointed by the Lt. Governor which committee shall be empowered to employ the Eagleton Institute of Politics of Rutgers University to conduct an independent study or further shall be empowered to employ any other agency of known and recognized confidence for the conduction of such a study. The committee shall undertake on its own such inquiries and studies as it deems appropriate to the end that they may recommend to the Legislature a course of action by legislation or otherwise for modernization of the Alabama Legislature. The clerk of the house and secretary of the senate shall furnish such clerical assistance as may be necessary for the satisfactory performance of its duties.

BE IT FURTHER RESOLVED That the members of this committee shall receive their regular legislative pay while on the business of the committee and further shall be entitled to their reasonable and necessary expenses incurred on the business of the committee.

On motion of Mr. Lyons, the rules were suspended and the resolution, H. J. R. 85, was adopted.

Also:

By Messrs. Robertson and Culver:

H. R. 86. CONGRATULATING THE TUSCALOOSA GRAPHIC NEWSPAPER ON A RECENT EDITORIAL.

WHEREAS the Tuscaloosa Graphic Newspaper recently published an editorial in regard to an Act of the Legislature pertaining to Tuscaloosa County; and

WHEREAS this editorial is well worthy of being called to the attention of the public and very ably expresses the sentiments of the majority of this Legislature; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That the following editorial printed in the Tuscaloosa Graphic Newspaper on December 16, 1971 is hereby highly commended and called to the attention of the citizens of this State viz:

NO SUCH THING AS SECRET LEGISLATING

It is incredible to us that for all the discussion of the controversial local law giving circuit judges wide discretion in criminal cases that Graphic was the only newspaper to publish the act. The local-chain-daily-press had a lot to say about it, but neglected to let the people read it.

All of which prompts us to discourse upon the trifling state of local reporting as exemplified in the chain-daily-press handling of this story. It bore all the traces of vengeance journalism. Much of it was personal and ugly. There was outright prevarication. There was misinformation and distortion and abominable ignorance.

What beats us is why the daily never published the law. For all its sensational reporting, it has never told us why it failed to write about it before the fact rather than after. It so happens that the daily had a copy of the bill after it was introduced and before it became law.

The other day-even after local legislators had said they would repeal the local law because the judges did not want it-we were informed by the daily press, "Secret Legislation Truly Abominable."

More abominable is the fact that the local outlet of the rich conglomerate failed to report as a daily should. After all the talk about secrecy, failure of local legislators to inform the public, the local-chain-daily press finally exposed itself as the medium which failed to inform.

The local daily is part of one of the largest publishing cartels in the nation. It has several publications in Alabama and no telling how many others around the South and the rest of the U. S. The operation is the biggest story in journalism and one that has never been reported. The real owners are faceless.

It is truly abominable that such a fat-cat publication cannot print the news any good daily should. Why doesn't it cover the State Legislature? Legislative reporting in Alabama is spotty. Aside from the Birmingham, Montgomery and Mobile papers, only the wire services report what is going on in Montgomery. The wire services have to cover such a broad, general areas, they fail to get the small, but important local stories.

The cry-baby complaint of the local-chain-daily-press to the contrary notwithstanding, there is no such thing as "legislating in secret." Any newspaperman who has covered the State Legislature knows that this charge is juvenile journalism. It is a declaration of ignorance. It is an admission of failure to report.

Take it from one who has covered many sessions of the State Legislature. The newspapermen at the scene know what is introduced. They make it a point of finding out. This is what newspapering is all about.

When a bill is introduced in the State Legislature it is read by title and assigned to a committee. Anyone who covers the Legislature can obtain a copy of the bill.

The local-chain-daily press just didn't report. Then it wailed loudly because local legislators had not done its reporting. How come readers were not given the story before the fact? It is easy to write after the fact. But then why blame the legislators for its own failures?

Meanwhile, we should like to remind readers that Graphic was the only medium to print the act in its editorial columns. This was last Friday. We recommend a reading of the measure. It is obviously not the vicious thing the daily astonisher described.

Maybe it is not good law. But it is the same law that governs federal courts. It warrants calm, honest and informed discussion. Certainly it was worth being reported and printed by any publication that professes to be a daily newspaper.

Did the local-chain-daily-press resort to ugly, lying personal accusations to hide its own failure to act and be a real daily newspaper?

BE IT FURTHER RESOLVED, that the Clerk of the House send copies of this resolution to the Tuscaloosa Graphic Newspaper and the Tuscaloosa News and all other forms of news media in Tuscaloosa County, Alabama.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. R. 86, was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message From the Governor concerning House Bill Number 128 and containing a suggested Executive Amendment.

RESPECTFULLY SUBMITTED,

HARRY L. PENNINGTON,
Executive Secretary.

Done This 20th Day of December, 1971.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 128 without my signature and approval and with the following suggested Executive Amendments.

I suggest that the Title of House Bill Number 128 be amended to read as follows:

"To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty for the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971."

I further suggest that Section 5 of House Bill Number 128 be amended to read as follows:

"Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

The adoption of the above and foregoing suggested Executive Amendments will remove my objections to this bill.

RESPECTFULLY,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Ellis, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 128, said

Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	St. John
Adams	Drake	Lutz	Slate
Adwell	Easters	McBride	Smith (K)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stokes
Boutwell	Falkenburg	May	Straiton
Bowers	Fite	Meeks	Stubbs
Brassell	Goodwin	Merrill	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Grey (D)	Naramore	Turner
Casey	Hardin	Nettles	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Cottingham	Hearn	Perloff	Warren
Crawford	Hobbie	Pruitt	Weeks
Crowe	Jackson	Reid (R)	Williams
Culver	Jones (E)	Reynolds	Wood
Doss	King	Roberts	Wynot

—76

Which was a majority of the whole number elected to the House.

And the bill:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins	Fite	McCorquodale
Adams	Connell	Gafford	McDonald
Adwell	Cottingham	Goodwin	Manley
Baker	Crawford	Grainger	May
Barkett	Cross	Hardin	Meeks
Bassett	Crowe	Harris	Merrill
Benton	Culver	Headley	Mims
Boutwell	Dill	Hearn	Naramore
Bowers	Doss	Jackson	Nettles
Brassell	Downing	Jones (E)	Owens
Callahan	Drake	Jones (F)	Parker (H)
Carnes	Easters	King	Parker (T)
Carter	Edwards	Kinsey	Perloff
Casey	Ellis	Lang	Pruitt
Cauthen	Erdreich	Lutz	Reynolds
Chesnut	Falkenburg	McBride	Roberts

Robertson	Stewart	Timmons	Warren
St. John	Stokes	Turner	Weeks
Slate	Straiton	Waggoner	Williams
Smith (K)	Stubbs	Waldrop	Wood
Snell	Therrell	Wallace	Wynot

—84

Which was a majority of the whole number elected to the House.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Culver, Robertson, Parker (T) and Bank:

H. J. R. 87. CONGRATULATING THE UNIVERSITY OF NEBRASKA FOOTBALL TEAM AND HEAD COACH BOB DEVANEY FOR THEIR SELECTION AS THE NUMBER ONE ITEM IN THE NATION.

WHEREAS the University of Nebraska football team defeated the University of Alabama football team New Year's night in the Orange Bowl to claim the esteemed "number one" rating in college football; and

WHEREAS this University of Nebraska team displayed amazing skill and teamwork during the football game. This team won the admiration of all Alabamians not only for their football talent but also for the exceptional good sportsmanship they displayed throughout the game; and

WHEREAS Head Coach Bob Devaney owns the best won—loss percentage average among active major college head coaches and it was under the leadership of this outstanding coach that the University of Nebraska football team achieved this brilliant feat; and

WHEREAS this legislature, due to its location in the "football country of the world", considers itself composed of exceptional observers of football talent and wishes to offer its congratulations to the University of Nebraska football team and Head Coach Bob Devaney for winning this esteemed honor; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it extends congratulations to the University of Nebraska football team and Head Coach Bob Devaney upon their victory in the Orange Bowl and for winning the National Championship.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Head Coach Bob Devaney of the University of Nebraska.

On motion of Mr. Culver, the rules were suspended and the resolution, H. J. R. 87, was adopted.

Also:

By Messrs. Merrill, Burgess and Ellis:

H. J. R. 88. WHEREAS the reapportionment plan adopted by the U. S. District Court for the middle district of Alabama, northern division, in its order dated January 3, 1972, does not serve the best interest of the

citizens of Alabama whether they be black, white, democrats, republicans or independents; and

WHEREAS the present Legislature serving by virtue of and under the authority of the reapportionment decree of this very same federal court dated October 2, 1960, is charged with the duty of representing all of the people of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a permanent joint legislative committee on reapportionment to consist of seven members from the House of Representatives, to be appointed by the Speaker, and seven members from the Senate, to be appointed by the Lt. Governor. This committee shall make a continuous study of the reapportionment problem in Alabama seeking solutions thereto and further shall endeavor to alleviate the inequities of the January 3, 1972 order referred to above. It shall make such reports of its investigations, findings and recommendations to the legislature at any time during any regular or special session of the legislature as it may deem to be necessary or desirable. Each member of the committee hereby created shall be entitled to his usual legislative pay, travel expenses and per diem for each day he spends in attending such committee meetings.

On motion of Mr. Merrill, the rules were suspended and the resolution, H. J. R. 88, was adopted.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 89. MOURNING THE DEATH OF JOHN ED. WALLIS.

WHEREAS John Ed. Wallis, age 76, a native of Talladega County and a prominent Sylacauga business executive passed away recently. He was the owner of Wallis Hardware Store and operated a large farm near Alpine; and

WHEREAS he was active in the civic affairs of his community and was a member of the local Masonic Lodge, a charter member of the Sylacauga Exchange Club, past president of the Chamber of Commerce, a former member of the Sylacauga Housing Authority, a former member of the Sylacauga City Council and served as past president of the Talladega County Farm Bureau; and

WHEREAS John Ed. Wallis was a true Southern gentleman whose advice was sought by people in all walks of life; he was of a kindly disposition and was ever ready to contribute to the needs of his neighbors and for the progress and betterment of his home town and state; and

WHEREAS through the qualities of his fine christian character he was always impressing those with whom he came in contact; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it mourns the death of this outstanding man and expresses its profound grief and deep sympathy to the members of his family.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 89, on the Clerk's desk for one legislative day.

Also:

By Messrs. Harris, Jones (F), Taylor, Straiton and Lyons:

H. J. R. 90. RECOMMENDING THAT THE MONTGOMERY CITY-COUNTY CHARITY CLINIC BE NAMED THE LISTER HILL HEALTH CENTER.

WHEREAS Lister Hill, retired United States Senator from Alabama, has long been a leader for better health care in this country and has often been called the Senate's "Statesman for Health"; and

WHEREAS he devoted a great deal of time and energy to programs and legislation increasing the training of personnel and funds for health care; and

WHEREAS through his efforts the Hill-Burton Hospital Construction Act of 1946 was passed by Congress and this Act has provided over 400,000 beds in hospitals, nursing homes and rehabilitation facilities; and

WHEREAS many honors have come his way including honorary degrees from the University of Alabama, Auburn University, National University, the Woman's Medical College of Pennsylvania and the Hahnemann Medical College and he is an Honorary Fellow of the American College of Hospital Administrators and an honorary member of Phi Alpha Delta law fraternity and Omicron Kappa Epsilon dental society. He is also a member of Who's Who in the South and Southwest, Who's Who in Alabama and Who's Who in America; and

WHEREAS Lister Hill has received awards and citations for distinguished service from the Alabama Association for Mental Health, The Alabama Society for Crippled Children and Adults, the William Crawford Gorgas Award of the Alabama Medical Association and has been cited by the Alabama Dental Association. He has also been honored with the Albert Lasher Medical Research Award for his dedication to the expension of medical research and he received the first Alexander Graham Bell award for aiding the deaf; and

WHEREAS the naming of the Montgomery City-County Charity Clinic would be a fitting memorial to this great statesman for his outstanding contributions in the field of public health; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body goes on record as requesting that the Montgomery City-County Charity Clinic be named in honor of Lister Hill and be known as the Lister Hill Health Center.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Montgomery County Governing Body and the Montgomery City Commission.

On motion of Mr. Harris, the rules were suspended and the resolution, H. J. R. 90, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Clark and Register:

S. J. R. 31. MOURNING THE DEATH OF REPRESENTATIVE GEORGE ANDREWS.

WHEREAS George Andrews held the position of Representative in the United States House of Representatives for the Third Congressional District of Alabama for a period of twenty-eight years; and

WHEREAS he performed invaluable service not only to the constituents in his own congressional district, but to all Alabamians and his considerable influence in Congress was invaluable in a number of critical situations; and

WHEREAS Representative Andrews was a native of Clayton and earned his undergraduate and LL.B. degree from the University of Alabama. He was a member of Sigma Nu social fraternity, Phi Delta Phi legal fraternity, and Omicron Delta Kappa; and

WHEREAS he served as Circuit Solicitor for the Third Judicial Circuit of the State of Alabama from 1931 to 1943. He was elected to the 78th Congress in 1944 in absentia while serving as a Lieutenant (junior grade), with the United States Naval Reserve at Pearl Harbor and contributed immeasurably to the Committee on Expenditures in Executive Departments; Roads Committee and Committee on World War Veterans Legislation, through his devoted service and diligent effort he earned the position of the second ranking member of the House Appropriations Committee and served on the major appropriations committees of Defense, Public Works and Legislative, the latter of which he was chairman. He was recognized and honored many times some of which include, Who's Who in the South and Southwest, Who's Who in America and Who's Who in Alabama; and

WHEREAS Representative Andrews epitomized the image of public service and was an outstanding leader who was ever ready to contribute to the needs of his neighbors and for the progress and betterment of his home town, country and state. He was instrumental in keeping Fort Rucker, the Army Aviation Center and aided Fort McClellan until it received permanent assignment as the center of the Women's Army Corps and the chemical warfare school. Representative Andrews contributed to the success of Alabama's waterways which resulted in the opening of a navigation system from the gulf up to Phenix City on the Chattahoochee River and he helped sustain the proposed Alabama-Coosa navigation system on an active basis through lean years, and seeing it through to completion as far up as to Montgomery. He also helped keep alive the now court delayed Tennessee-Tombigbee waterway project and he was instrumental in the establishment of the Columbia Lock and Dam on the Chattahoochee River below Columbia, Alabama in Houston County; and

WHEREAS Representative Andrews was recognized for his strong leadership in getting the University of Alabama Medical Center in line for one of the new regional cancer centers called for in President Nixon's intensified war on cancer. A key part will be the Lurleen Wallace Memorial Hospital, for which more than five million dollars in local contributions have been received; and

WHEREAS he believed in a strong defense posture and was instrumental in the selection of Admiral Thomas B. Moorer, a resident of Eufaula, to the position of Chairman of the Joint Chiefs of Staff; and

WHEREAS Representative Andrews was a genuine statesman whose life perpetuates the memory of those who are true to the instinct of their birth, faithful to the teachings of their fathers and constant in their love for their state and country; and

WHEREAS he was held in high esteem by his associates, loved by his friends and respected by all and reflected great honor not only to himself but to his home State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of this great statesman, the Honorable George Andrews of Union Springs, and offers its heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to members of his family.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Easters, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 31, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Register and Clark:

S. J. R. 34. REQUESTING THAT THE CORPS OF ARMY ENGINEERS NAME THE COLUMBIA LOCK AND DAM ON THE CHATTAHOOCHEE RIVER BELOW COLUMBIA, ALABAMA IN HOUSTON COUNTY FOR GEORGE ANDREWS.

WHEREAS George Andrews served the Third Congressional District of Alabama in the United States House of Representatives for a period of twenty-eight years; and

WHEREAS he contributed immeasurably to the success of Alabama's waterways throughout his years in the United States House of Representatives. Through his efforts there has been the opening of a navigation system from the Gulf up to Phenix City on the Chattahoochee River and his efforts helped sustain the proposed Alabama-Coosa navigation system on an active basis through lean years; and

WHEREAS Representative Andrews' work contributed to the creation of the Columbia Lock and Dam on the Chattahoochee River below Columbia, Alabama in Houston County; and

WHEREAS the Columbia Lock and Dam project is now completed and it is understood by the Legislature that these projects are usually named for some individual; and

WHEREAS this legislature feels that the naming of this Lock and Dam for Representative George Andrews would be a proper and fitting memorial for the services which this great statesman rendered for the waterways of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body goes on record as requesting that this facility be named in honor of Representative George Andrews.

BE IT FURTHER RESOLVED, That the Secretary of the Senate send a copy of this resolution to the Corps of Army Engineers and The Alabama Congressional Delegation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crawford, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 34, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Parker (T) and Callahan:

H. J. R. 91.

WHEREAS the present and future needs of the United States for a stable and an expanding economy require the smooth functioning of a balanced surface transportation system making the best possible use of all modes, rail, highway and waterway; and

WHEREAS the demand for freight transportation is growing three times as fast as the population and will double by 1985; and

WHEREAS much of the surface transportation system is today in a precarious financial position which impedes its ability to modernize and to meet increasing needs of both shippers and consumers alike; and

WHEREAS existing federal policies relating to regulation and financing have lagged far behind and have impeded the progress and health of the transportation industry: Now therefore be it

RESOLVED by the Alabama House of Representatives, the Senate concurring, That we urge the Congress to enact the SURFACE TRANSPORTATION ACT OF 1971 with its provisions for updating regulation and extending limited financial assistance to the nation's surface transportation modes; and be it

RESOLVED, further, That copies of this Resolution be transmitted to the President of the United States and to each Senator and Representative from Alabama in the Congress of the United States.

On motion of Mr. Parker (T), the rules were suspended and the resolution, H. J. R. 91, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 22. To amend Section 1 of Act #206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a population of 600,000 or more according to the last or any subsequent decennial census.

Also:

H. 52. To authorize any city having a population of 300,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the city suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, the county in which any such city is located, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such city may be joint lessee with such county or with any other municipality in such county and that the obligations of any such city may be individual and separate or joint and several, to provide that the obligations of any such city under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such city under any such lease or contract in the budget of such city and that any such city shall pay over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, and to exempt any such contract or lease from all taxation and all other provisions of law with respect thereto.

Also:

H. 53. To authorize any county having a population of 600,000 or more according to the last or any succeeding federal decennial census to become a lessee under a lease or contract of lease respecting any building or buildings located or to be located in the county suitable as a community or meeting house, an auditorium, an arena, a convention hall, or a place of recreation, for a term not to exceed thirty years, from the State, any city located in the county, or certain public corporations, to provide the terms and conditions of any such lease or contract, to provide that any such county may be joint lessee with any other municipality in such county and that the obligations of any such county may be individual and separate or joint and several, to provide that the obligation of any such county under any such lease or contract may be a general obligation secured by its full faith and credit and by such other pledge or assignment of its tax proceeds or revenues as may be agreed upon, or that such obligation may be a limited obligation, to provide for the inclusion of the obligations of any such county under any such lease or contract in the budget of such county and that any such county shall pay

over rent and its other financial obligations due thereunder without further act by its governing body, to provide the circumstances under which any such contract or lease shall not be repealed, revoked, altered or amended, to provide for the severability of the provisions of this act, to provide that the approval of such lease or contract of lease by the governing body of any such county shall be sufficient and that no other approval, registration, audit or allowance shall be required, and to exempt any such contract or lease from all taxation, from the provisions of Chapter 6 of Title 12 of the Code of Alabama of 1940, as amended, and all other provisions of law with respect thereto.

Also:

H. 122. To authorize the county governing body of any city in any county having a population of not less than 42,000 nor more than 49,500 to provide an expense allowance for the district attorney of the Judicial Circuit within such county; to repeal Act No. 51, H. 82, 1970 Special Session (Acts 1969–70, p. 2674) and other Acts which conflict with the provisions of this Act.

Also:

H. 140. To amend Act No. 1695, H. 2263, approved September 17, 1971, which relates to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the most recent federal decennial census, and creates a civil service board in said counties to assure the more efficient operation of the sheriff's department; amending such bill in relation to the work load of uniformed deputy sheriffs.

Also:

H. 145. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; to establish a procedure for the implementation and control of all future annual salary increases or decreases for the License Commissioner in such counties.

Also:

H. 148. To amend further the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), as amended, which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis; by revising the mode of disbursement of said funds, and making such revision retroactive.

Also:

H. 160. To repeal Act No. 5, H. 84 of the Second Special Session of 1971, approved December 1, 1971, entitled "An Act, To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding census, a person is found guilty or plead guilty, courts may, without entering judgment of guilty and with the consent of such person, defer proceedings and place on probation; that may discharge from probation before end of probation period; that at the end of the probation period, shall discharge and dismiss such proceeding; that such discharge and dismissal makes it a non-public record; that discharge and

dismissal may occur only once to such person; that if under 21 at the time of offense, such person may apply to expunge official records and restore to status occupied prior thereto; and that not guilty of perjury or false statement for failing to reveal such proceedings."
Also:

H. 171. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Also:

H. 181. To provide for the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census, and repealing Act No. 913, H. 1703, 1971 Regular Session, approved September 7, 1971, and other laws conflicting herewith.

Also:

H. 183. To amend Act No. 1878, H. 2122, Regular Session 1971, which provides for the establishment and operation of family court divisions in circuit courts of all counties having populations of not less than 175,000 nor more than 300,000, and providing for the selection and compensation of their officers, and administrative personnel, so as to provide further for the selection of the judge of said division and the compensation of his bailiff.

Also:

H. 159. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 79. NAMING THE HUMANITIES BUILDING AT JEFFERSON DAVIS STATE JUNIOR COLLEGE THE MARIE M. PATE HALL.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 112. To provide that there shall be three deputy sheriffs in counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

H. 187. To regulate further the summoning of witnesses in Lawrence County; to provide that witnesses may be subpoenaed by United States mail in Lawrence County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 54. Commending David Beverly for making the All Southeastern Conference Team.

Also:

H. J. R. 55. COMMENDING TERRY BEASLEY FOR HIS GREAT FOOTBALL CAREER AT AUBURN UNIVERSITY.

Also:

H. J. R. 59. Mourning the death of Robert Lowry.

Also:

H. J. R. 64. CONGRATULATING MONROE ACADEMY FOR WINNING THE ALABAMA ASSOCIATION OF PRIVATE SCHOOL FOOTBALL CHAMPIONSHIP.

Also:

H. J. R. 66. Mourning the death of R. D. Jordan.

Also:

H. J. R. 69. Urging the bands of both Alabama and Auburn to play Dixie at their respective Bowl games and requesting authorities of each Bowl to have an invocation given.

Also:

H. J. R. 70. MOURNING THE DEATH OF THOMAS LANE BUTTS, SR.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 27. To amend Section 2, 3, 4, 5 and 6 of Act No. 2271 of the 1971 Regular Session of the Legislature of Alabama which Act relates to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 35. To amend Section 1 of Act No. 206 (House 537) of the Regular Session of the Legislature of Alabama of 1971 so as to increase the membership of the County Pardon and Parole Board in all counties having a pop-

ulation of 600,000 or more according to the last or any subsequent decennial census.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 100. Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; further regulating the registration of voters in such counties and providing for additional compensation of members of the board of registrars.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Hammond:

S. J. R. 35. NAMING THE COUNTY HIGHWAY 63 IN MARSHALL COUNTY THAT RUNS FROM U.S. 431 THROUGH GRANT, ALABAMA TO U.S. 72 THE "CATHEDRAL CAVERNS HIGHWAY".

WHEREAS the Cathedral Caverns located in Grant, Alabama has rapidly become one of the South's most outstanding attractions. Cathedral Caverns features the seven greatest cavern discoveries in the world; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that portion of Marshall County Highway 63 which lies in Jackson County and runs from U.S. 431 in Marshall County through Grant, Alabama to U.S. highway 72 at Woodville, Ala-

bama be named "Cathedral Caverns Highway" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway so designating it.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McDonald, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 35, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carr:

S. J. R. 32. Naming the County Highway 63 in Marshall County that runs from U.S. 431 through Grant, Alabama to U.S. 72 the "Cathedral Caverns Highway".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McDonald, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 32, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 45.

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, THAT when the Senate adjourns today it adjourn to meet again on Tuesday, January 11, 1972 at 2:00 P.M.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 45, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

H. 196 RE-REFERRED

On motion of Mr. McCorquodale, the bill, H. 196, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Conservation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 94. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the House concurred in and adopted the Senate amendment to the bill, H. 94, said Senate amendment being as follows:

Amend H.B. 94 in Section 1, subsection 425, in the second paragraph by deleting the word "Choctaw" and adding in lieu thereof the word "Wilcox".

Further amend in Section 1, subsection 425, in the paragraph beginning "The seventh district" by deleting the word "Wilcox" and adding in lieu thereof the word "Choctaw".

Yeas 92; Nays 2.

Yeas:

Mr. Speaker	Doss	King	Roberts
Adwell	Downing	Kinsey	Robertson
Baker	Drake	Lang	St. John
Barkett	Edwards	Lutz	Slate
Bassett	Ellis	McBride	Smith (K)
Benton	Erdreich	McCluskey	Smith (P)
Boutwell	Falkenburg	McCorquodale	Stewart
Bowers	Fite	McDonald	Stokes
Brassell	Flippo	Manley	Straiton
Burgess	Gafford	Mathews	Stubbs
Callahan	Gloor	May	Taylor
Carnes	Goodwin	Meeks	Therrell
Carter	Grainger	Merrill	Timmons
Cauthen	Grey (D)	Mims	Turner
Chesnut	Hale	Naramore	Turnham
Collins	Hardin	Nettles	Waggoner
Connell	Harris	Owens	Waldrop
Coshatt	Headley	Parker (H)	Wallace
Cottingham	Hearn	Parker (T)	Warren
Cross	Hill	Perloff	Weeks
Crowe	Hobbie	Reed (T)	Williams
Culver	Jackson	Reid (R)	Wood
Dill	Jones (F)	Reynolds	Wynot

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Nays: Messrs.: Adams and Snell —2

And the bill, H. 94, as thus amended, was again read at length and passed.

Yeas 87; Nays 8.

Yeas:

Mr. Speaker	Drake	Kinsey	Robertson	
Adwell	Edwards	Lang	St. John	
Baker	Ellis	Lutz	Slate	
Bassett	Erdreich	McBride	Smith (K)	
Benton	Falkenburg	McCluskey	Smith (P)	
Boutwell	Fite	McCorquodale	Stewart	
Bowers	Flippo	McDonald	Stokes	
Brassell	Gafford	Manley	Straiton	
Burgess	Gloor	Mathews	Stubbs	
Callahan	Goodwin	May	Taylor	
Carter	Grainger	Meeks	Therrell	
Cauthen	Grey (D)	Merrill	Timmons	
Chesnut	Hale	Mims	Turner	
Collins	Hardin	Naramore	Turnham	
Coshatt	Harris	Nettles	Waggoner	
Cottingham	Headley	Owens	Wallace	
Cross	Hearn	Parker (H)	Warren	
Crowe	Hill	Parker (T)	Weeks	
Culver	Hobbie	Perloff	Williams	
Dill	Jackson	Reid (R)	Wood	
Doss	Jones (F)	Reynolds	Wynot	
Downing	King	Roberts		—87

Nays:

Messrs.:	Carnes	Easters	Waldrop	
Adams	Connell	Snell	Wise	
Barkett				—8

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 169. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled:

"To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdeameanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

Also:

H. 152. To Amend Section 35 of Act No. 30, approved May 31, 1963, Relating to The Official Court Reporter For The County Court of Marshall County, Alabama.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

S. 92. (With Substitute): To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, is hereby further amended to read as follows:

"Section 3. The board of registrars shall meet for the purpose of registering qualified persons as voters or electors at the courthouse on each Monday, Tuesday and Wednesday in each week; provided, that if there is in any of the counties described in Section 1 hereof a branch courthouse, the board of registrars shall meet at such branch courthouse on the last Wednesday in each month and on the preceding Monday and Tuesday for the purpose of registering qualified persons as voters or electors; provided further, that the board of registrars shall not meet in any place unless accomodations and necessary facilities for registering qualified persons as voters or electors are furnished to the board; provided further, that the board of registrars, upon petition of twenty-five or more resident citizens of any precinct, shall meet at a city hall, fire hall or regularly designated polling place in such precinct of the county on any Thursday, Friday or Saturday of any week for the purpose of registering qualified persons as voters or electors; provided further, that the board of registrars shall not, during the two weeks immediately preceding any

regular or special municipal, county, state or federal primary or general election, register any person who will be entitled to vote at such election. In the event that the board of registrars meets pursuant to the third proviso of the next preceding sentence, they shall give at least twenty days notice of the date and time when, and the place and the precinct where, they will meet to register qualified persons as voters or electors, by bills posted at three or more public places in the precinct where they will so meet, and by notice one time in a newspaper of general circulation in the county. The provisions of Sections 26, 27, Title 17, Alabama Code of 1940, and said Act No. 668, approved October 8, 1947, and of Act No. 6, General Laws of Alabama (Fourth Special Session), approved August 11, 1950, insofar as said Code sections and said acts fix the time when the board of registrars shall or may meet for registering qualified voters or electors, shall have no application in any of the counties described in Section 1 of this Act."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones (F)	Reynolds
Adams	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Baker	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Slate
Bassett	Erdreich	McBride	Smith (K)
Benton	Falkenburg	McCluskey	Smith (P)
Boutwell	Flippo	McDonald	Snell
Bowers	Gafford	Manley	Stokes
Brassell	Gloor	Mathews	Straiton
Callahan	Goodwin	May	Stubbs
Carnes	Grainger	Meeks	Therrell
Carter	Gray (F)	Merrill	Timmons
Cauthen	Grey (D)	Mims	Turnham
Chesnut	Hale	Naramore	Waggoner
Collins	Hardin	Nettles	Waldrop
Connell	Harris	Owens	Wallace
Coshatt	Headley	Parker (H)	Weeks
Cross	Hearn	Parker (T)	Williams
Crowe	Hill	Perloff	Wise
Dill	Hobbie	Pruitt	Wood
Doss	Jackson	Reid (R)	—87

Mr. Gafford offered the following amendment to the bill, S. 92, as amended:

Amend Section 1, Section 3 thereof, by deleting the clause beginning on the 13th line of Section 3, beginning with the words "provided further, that the board of" and ending with the words "persons as voters or electors;" and inserting in lieu thereof the following clause:

"provided further, that the board of registrars, upon petition of 25 or more resident citizens of age 18 or over of any precinct desiring to be registered as voters or electors shall meet at the nearest or most practical city-hall or town-hall in such precinct of the county on any Thursday or Friday of any week for the purpose of registering qualified persons as voters or electors;"

And the amendment was adopted.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker	Dill	Jones (F)	St. John
Adams	Doss	King	Slate
Adwell	Downing	Kinsey	Smith (K)
Baker	Drake	Lutz	Smith (P)
Barkett	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Falkenburg	McDonald	Stokes
Boutwell	Flippo	Manley	Straiton
Bowers	Goodwin	Mathews	Stubbs
Brassell	Grainger	May	Therrell
Burgess	Gray (F)	Meeks	Timmons
Callahan	Grey (D)	Merrill	Turnham
Carnes	Hale	Naramore	Waggoner
Carter	Hardin	Nettles	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker (T)	Weeks
Collins	Hearn	Perloff	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Jackson	Reynolds	Wynot
Cross	Jones (E)	Roberts	—83

Nays: Messrs.: Erdreich and Parker (H) —2

And the bill, S. 92, as thus amended, was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (E)	Roberts
Adams	Downing	Jones (F)	St. John
Adwell	Drake	King	Slate
Baker	Easters	Kinsey	Smith (K)
Barkett	Edwards	Lang	Smith (P)
Bassett	Ellis	Lutz	Snell
Benton	Erdreich	McBride	Stewart
Boutwell	Falkenburg	McCluskey	Stokes
Bowers	Fite	McDonald	Straiton
Brassell	Flippo	Manley	Stubbs
Burgess	Gloor	Mathews	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turner
Cauthen	Grey (D)	Naramore	Turnham
Chesnut	Hale	Nettles	Waggoner
Collins	Hardin	Owens	Waldrop
Connell	Harris	Parker (H)	Wallace
Coshatt	Headley	Parker (T)	Weeks
Cottingham	Hearn	Perloff	Williams
Cross	Hill	Pruitt	Wise
Crowe	Hobbie	Reid (R)	Wood
Dill	Jackson	Reynolds	Wynot

—92

And the bill:

S. 109. (With Amendment): To amend Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay to employees.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

In Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, as set out in Section 1 of said Senate Bill 109, strike out, in its entirety, subsection (i) and substitute in lieu thereof the following:

(i) The standardization of hours of work, attendance and leave regulations, working conditions, and the development of employee morale, welfare and training. Provided, that no rule or regulation shall prohibit or prevent any employee from working over-time should it be necessary in the public interest in the opinion of the officer in whom the power to make appointments is vested by law; however, any employee who works over-time must be compensated therefor, at his sole option, either by over-time pay or by compensatory leave. For the purposes of this section "over-time work" shall be any work performed over forty (40) hours per week, on holidays or beyond the normal tour of duty, including any time spent in required attendance at court, when the time of such attendance is not within the normal tour of duty or hours of work. Any employee doing any over-time work for the city or county to which this Act applies shall immediately upon completion of the over-time duty file in writing a statement as to his election to accept over-time pay or compensatory leave as compensation for such over-time duty. An employee allowed compensatory leave may accumulate and/or take such leave at his discretion, however, he may not carry over at the end of any fiscal year more than 20 days of such accumulated compensatory leave, unless such employee had some compensatory leave to his credit when this amendment becomes effective, in which case such employee may carry over from year to year the compensatory leave standing to his credit on such date plus 20 days. Any employee electing to accept compensatory leave as compensation for over-time work shall be entitled to one hour of leave for each hour worked over-time and he shall be given written notice of such entitlement at the end of the pay period in which he worked such over-time. No person in a supervisory capacity shall order or attempt, directly or indirectly, to persuade an employee under his supervision to take compensatory leave in lieu of over-time pay. Any person violating this provision shall be referred to the Personnel Board which shall take proper disciplinary action in the matter.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Collins
Adams	Boutwell	Carnes	Connell
Baker	Bowers	Carter	Coshatt
Barkett	Brassell	Cauthen	Cottingham
Bassett	Burgess	Chesnut	Cross

Dill	Headley	Merrill	Stokes
Doss	Hearn	Naramore	Straiton
Downing	Hill	Nettles	Stubbs
Drake	Hobbie	Owens	Therrell
Easters	Jackson	Parker (H)	Timmons
Edwards	Jones (E)	Parker (T)	Turner
Ellis	Jones (F)	Perloff	Turnham
Erdreich	King	Pruitt	Waggoner
Falkenburg	Kinsey	Reid (R)	Waldrop
Fite	Lang	Reynolds	Wallace
Flippo	Lutz	Robertson	Warren
Goodwin	McCluskey	St. John	Weeks
Grainger	McDonald	Slate	Williams
Grey (D)	Manley	Smith (K)	Wise
Hale	Mathews	Smith (P)	Wood
Hardin	May	Snell	Wynot
Harris	Meeks	Stewart	

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And the bill, S. 109, as thus amended, was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards	Kinsey	Slate
Adams	Ellis	Lang	Smith (K)
Baker	Erdreich	Lutz	Smith (P)
Barkett	Falkenburg	McCluskey	Snell
Bassett	Fite	McDonald	Stewart
Benton	Flippo	Manley	Stokes
Boutwell	Gafford	Mathews	Straiton
Brassell	Goodwin	May	Stubbs
Burgess	Grainger	Meeks	Taylor
Callahan	Gray (F)	Merrill	Therrell
Carnes	Grey (D)	Naramore	Timmons
Carter	Hale	Nettles	Turner
Cauthen	Hardin	Owens	Turnham
Chesnut	Harris	Parker (H)	Waggoner
Collins	Headley	Parker (T)	Waldrop
Connell	Hearn	Perloff	Wallace
Coshatt	Hill	Pruitt	Warren
Cottingham	Hobbie	Reid (R)	Weeks
Cross	Jackson	Reynolds	Williams
Dill	Jones (E)	Roberts	Wise
Doss	Jones (F)	Robertson	Wood
Downing	King	St. John	Wynot
Easters			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 132. To amend Act No. 403, H. 330, Regular Session 1971, approved August 19, 1971, amending Section 18 of said Act in relation to the counties in which the Act shall not apply.

Also:

By Messrs. Jones and Pierce:

S. 136. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 2 and 11, Township 16N, Range 18E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 2 and 11, Township 16N, Range 18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

"Beginning at a point on the south line of the Wares Ferry Road, said point on the east line of Section 11, T16N, R18E; thence southwesterly along the south line of the Wares Ferry Road to a point on the half section line running north and south through Section 11, T16N, R18E; thence north along said half section line to the north line of Section 11, T16N, R18E; thence west along the north line of said Section 11 to the northwest corner of said Section 11, said point also being the southeast corner of Section 3, T16N, R18E; thence continuing west along the south line of Section 3, T16N, R18E to a point 179.8 feet west of the southeast corner of said Section 3; thence north and parallel with the east line of Section 3 a distance of 436.57 feet; thence east 179.8 feet to the east line of said Section 3; thence north along the east line of Section 3 to a point 20 feet east of the northeast corner of Lot 18, of the Plat of Dalraida, as the same appears of record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 3 at Page 61; thence east along the half section line running east and west through the center of Section 2, T16N, R18E, to the east line of said Section 2; thence south along the east line of said Section 2 and the east line of said Section 11, T16N, R18E, to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Margaret Morgan, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: December 3, 10, 17 & 24, 1971.

GUYTON PARKS.

Sworn to and subscribed before me this the 24th day of December, 1971.

MARGARET B. MORGAN,
Notary Public,
Montgomery County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 132. Standing Committee on Local Legislation No. 1.

S. 136. Standing Committee on Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Horne:

S. 125. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

Also:

By Mr. Horne:

S. 126. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an ad-

ditional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 125. Standing Committee on Insurance.

S. 126. Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

And the bill:

H. 82. (With Amendment): To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Having been postponed from the Tenth Legislative Day, was taken up.

H. 82 POSTPONED

On motion of Mr. Stubbs, the bill, H. 82 with pending amendment, was postponed to the Seventeenth Legislative Day.

And the bill:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Having been postponed from the Tenth Legislative Day, was taken up.

H. 67 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was postponed to the Seventeenth Legislative Day.

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969-1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Having been postponed from the Tenth Legislative Day, was taken up.

H. 179 POSTPONED

On motion of Mr. McDonald, the bill, H. 179, was postponed to the Seventeenth Legislative Day.

And the bill:

S. 94. In relation to the regulation of facilities for child care, repealing Title 49, sections 62-100, as amended.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dill	Lutz	Robertson
Adams	Doss	McBride	St. John
Baker	Downing	McCluskey	Slate
Barkett	Ellis	McDonald	Smith (K)
Bassett	Erdreich	Manley	Smith (P)
Benton	Fite	May	Snell
Boutwell	Flippo	Meeks	Stewart
Brassell	Gafford	Merrill	Stokes
Burgess	Goodwin	Mims	Straiton
Carnes	Grainger	Naramore	Stubbs
Carter	Gray (F)	Nettles	Timmons
Casey	Grey (D)	Owens	Turner
Cauthen	Harris	Parker (H)	Waldrop
Chesnut	Hearn	Parker (T)	Wallace
Connell	Hill	Perloff	Warren
Coshatt	Jackson	Pruitt	Williams
Crawford	Jones (E)	Reid (R)	Wise
Cross	Jones (F)	Reynolds	Wood
Crowe	King	Roberts	Wynot

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 94. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length hav-

ing been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 152. To Amend Section 35 of Act No. 30, approved May 31, 1963, Relating to The Official Court Reporter For The County Court of Marshall County, Alabama.

Also:

H. 169. To amend Sections 7 and 14 of Act No. 1981, H. 732, 1971 Regular Session, effective September 30, 1971, entitled: ----------

"To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971–72 and 1972–73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:55 P.M. On January 11, 1971:

H. 22

H. 52

H. 53

H. 122

H. 140

H. 145

H. 148

H. 160

H. 171

H. 181

H. 183

H.J.R. 79

H. 112

H. 187

H.J.R. 54

H.J.R. 55

H.J.R. 59

H.J.R. 64

H.J.R. 66

H.J.R. 69

H.J.R. 70

Delivered to the Secretary of State at 4:00 P.M. On January 11, 1972: H. 159 (Constitutional Amdt.)

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

Mr. Gloor moved that the House adjourn until 2:00 o'clock p. m., Wednesday, January 12, 1972.

The substitute motion offered by Mr. Perloff that the House adjourn until 12 o'clock noon, Wednesday, January 12, 1972, was lost.

Yeas 46; Nays 48.

Yeas:

Messrs.:	Carnes	Crowe	Flippo
Adams	Carter	Dill	Grainger
Baker	Casey	Downing	Gray (F)
Bassett	Chesnut	Ellis	Grey (D)
Benton	Connell	Erdreich	Hale
Brassell	Coshatt	Falkenburg	Hardin

Hill	Manley	Roberts	Waldrop
Jones (E)	May	St. John	Warren
King	Merrill	Straiton	Wise
Lang	Nettles	Therrell	Wood
Lutz	Perloff	Turner	Wynot
McBride	Reid (R)	Waggoner	

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Nays:

Mr. Speaker	Culver	Jackson	Slate
Adwell	Doss	Kinsey	Smith (K)
Bank	Drake	McCluskey	Smith (P)
Barkett	Easters	McDonald	Snell
Boutwell	Edwards	Meeks	Stewart
Bowers	Fite	Mims	Stokes
Burgess	Gafford	Naramore	Stubbs
Callahan	Gloor	Owens	Taylor
Cauthen	Goodwin	Parker (H)	Timmons
Cottingham	Harris	Parker (T)	Turnham
Crawford	Headley	Pruitt	Weeks
Cross	Hearn	Reynolds	Williams

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ADJOURNMENT

The question, then, was on the motion of Mr. Gloor that the House adjourn until 2:00 o'clock p. m., Wednesday, January 12, 1972, and the motion was adopted.

Yeas 69; Nays 27.

Yeas:

Mr. Speaker	Cross	Jones (E)	Robertson
Adwell	Culver	Jones (F)	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	McBride	Snell
Bassett	Edwards	McCorquodale	Stewart
Bowers	Fite	McDonald	Stokes
Brassell	Gafford	Meeks	Straiton
Burgess	Gloor	Merrill	Stubbs
Carter	Goodwin	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	Owens	Turnham
Chesnut	Hale	Parker (H)	Wallace
Collins	Hardin	Parker (T)	Weeks
Connell	Headley	Pruitt	Williams
Coshatt	Hearn	Reynolds	Wise
Cottingham	Jackson	Roberts	Wynot
Crawford			

—69

Nays:

Messrs.:	Doss	Hill	Reid (R)
Adams	Ellis	King	Taylor
Benton	Erdreich	Lutz	Therrell
Boutwell	Falkenburg	Manley	Waggoner
Carnes	Flippo	May	Waldrop
Crowe	Grainger	Nettles	Warren
Dill	Harris	Perloff	Wood

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SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, January 12, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Chriss Doss, Birmingham, Alabama, Chaplain of the House of Representatives.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Culver	Jones (E)	Roberts
Adams	Dill	Jones (F)	Robertson
Adwell	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Bassett	Easters	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McCorquodale	Stokes
Bowers	Falkenburg	McDonald	Straiton
Brassell	Fite	Manley	Stubbs
Burgess	Flippo	Mathews	Taylor
Callahan	Gafford	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Turnham
Cauthen	Gray (F)	Naramore	Waggoner
Cherner	Grey (D)	Nettles	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker (H)	Warren
Connell	Harris	Parker (T)	Weeks
Coshatt	Headley	Perloff	Williams
Cottingham	Hearn	Pruitt	Wise
Crawford	Hill	Reed (T)	Wood
Cross	Hobbie	Reid (R)	Wynot
Crowe	Jackson	Reynolds	—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of

the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixteenth legislative day was approved.

LEAVES OF ABSENCE

The Speaker granted leaves of absence for Messrs. Agee and O'Daniel due to illness and for Mr. Bank due to absence from the State.

On motion of Mr. McBride, leaves of absence were granted for Messrs. Boles and Cherner.

S. 119 RE-REFERRED

On motion of Mr. Reynolds, the bill, S. 119, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 222. To make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session.

H. 268. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 249. Providing an appropriation of $150,000 from the General Fund of the State of Alabama for the use of the legislature for equipment and repairs necessary in the Senate and House.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 11 (With Amendment). Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a presumption as to the power of certain corporate officers; extending the effect of Section 58, of Act Number 414, Alabama Laws, Regular Session, 1959, dealing with the defense of ultra vires, to all corporations organized for private profit and giving retroactive effect to the provisions of this act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they wre severally read a second time and placed on the Calendar, to-wit:

S. 18. To further regulate the creation, exercise and termination of powers of attorney and to validate the exercise of certain powers of attorney now of record.

S. 20. To limit the duration of options to purchase land and the duration of notice of options heretofore or hereafter recorded.

S. 21. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

H. 266. To provide that any municipality of the state may authorize any policeman or other employee of such municipality to assist the policemen or other employees of any other municipality of the state in the performance of undercover work in such other municipality or its police jurisdiction for the purpose of enforcing the laws of the state or ordinances of such other municipality relating to the illegal possession, use, sale or disposition of narcotic drugs, marijuana or any other drug enumerated in Section 256 of Title 22, Code of Alabama of 1940, as amended or the illegal possession or sale of alcoholic or malt beverages when such aid is requested in writing on behalf of such other municipality by the Mayor, or other chief executive officer thereof, and to prescribe the conditions under which such undercover work may be performed.

H. 281. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

H. 282. Relating to the operation of vehicles in this state; amending further Code of Alabama 1940, Title 36, Sections 2 and 3, so as to provide that the driving anywhere in the state, not just on highways, of vehicles of all kinds, not just motor vehicles, by persons under the influence of any narcotics or drug or by intoxicated persons or the driving thereof recklessly shall be offenses proscribed by such sections.

H. 283. Relating to the suspension of drivers' licenses; amending Section 68 of Title 36 so as to stay certain suspension orders pending a hearing upon request of the licensee.

H. 198. To amend Code of Alabama, Title 30, Section 55, so as to provide that it is good ground for challenge of a juror that he has not been a resident of the county for the last preceding year.

H. 258. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 250 (With Amendment). To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 196. To make a supplemental appropriation to the Alabama Cooperative Wildlife Research Unit at Auburn University from the Alabama Forestry Commission Fund and the Game and Fish Fund in the State Treasury.

H. 178. Relating to licenses regarding the selling of live fish, fish eggs, minnows for wholesale and retail dealers.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 207. To require a movie or theater house that shows x rated or adults only movies, to pay a license or privilege fee of $2,000 and prescribing penalties for violation of said Act.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 234. To amend Section 5 of Act No. 90, S. 66, 1971 First Special Session, approved May 12, 1971, entitled "An Act To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System; and to make conditional allocations to cities and counties for construction, reconstruction, and improvement of public roads and bridges," so as to provide that the appropriations made under said Section 5 for use in matching federal funds for constructing public roads and bridges may be increased by the State Highway Director as is necessary to secure available federal funds.

H. 235. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this

Act; authorizing the Highway Director to adopt applicable Federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, Recompiled 1958; to provide how this Act may be cited; and to provide a severability clause."

H. 233. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and The National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

H. 284. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear materials contained therein and all reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise used or useful in the production of electricity by persons regularly engaged in furnishing electricity to any person or persons from state, county and municipal taxes, licenses, fees and excises.

S. 26. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

H. 241. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any group of citizens of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

H. 242. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

H. 243. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface

mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this Act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

H. 244. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

H. 245. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to compiy with the conditions of the performance bond.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 261. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 259. To amend Section 89, Title 36, Code of Alabama 1940 as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, ten inches.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 201. To authorize and permit grocery stores to remain open on

Sunday in each County in the State having a population of not less than 50,000 and not more than 52,500 inhabitants according to the last or any succeeding Federal Census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday, and further provided that said grocery store does not exceed 3,500 square feet of floor space, and to provide licensing such grocery stores by the license issuing officer of such County; authorizing the State to enjoin grocery stores remaining open on Sunday contrary to this Act.

H. 223. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 per month.

H. 224. Relating to all counties having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census, to provide for the regulation of parking on property of such counties around the county courthouse; to set a time limit for motor vehicles to be parked; to regulate parking of vehicles blocking driveways for unreasonable periods; to prohibit blocking of other vehicles lawfully parked and to prohibit parking in unauthorized places; and to authorize the sheriff and such persons as he may deputize, to enforce the provisions of this Act.

H. 237. To provide an allowance to the Judge of the Second Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

H. 238. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," amending such act in relation to the term of such members.

H. 239. To amend Section 18 of An Act Entitled "An Act Requiring The Registration And Licensing Of Barbers And Barber Apprentices, And Barber Colleges, Creating For The Administration Of This Act A State Board Of Barber Examiners, And Defining Violation Of This Act And Prescribing Penalties Therefor."

H. 240. To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

H. 257. Relating to counties having a population of not less than 65,500 nor more than 75,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

H. 260. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

H. 264. Relating to counties having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to authorize the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

S. 105. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

S. 126. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

S. 132. To amend Act No. 403, H. 330, Regular Session 1971, approved August 19, 1971, amending Section 18 of said Act in relation to the counties in which the Act shall not apply.

H. 175. To amend the title and Sections 1, 3 and 14 of Act No. 306, H. 356, 1963 Regular Session (Acts 1963, p. 775) which regulated the practice of barbering and established a County Board of Barber Commissioners in certain counties classified on a population basis; and making the provisions of this amendatory act retroactive to September 1, 1971.

H. 279. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants, according to the last or any subsequent federal decennial census; to provide an additional allowance for all salaried deputies of such counties.

Mr. Gloor, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 213. Relating to the financing of sanitary sewers in each county having a population of 600,000 or more according to the last or any subsequent federal decennial census; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring or providing sanitary sewer facilities for the collection, transmission, treatment and disposal of sewage; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the revenues from such facilities, or the proceeds from certain taxes, or both such revenues and such taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to authorize any such county to enter into the undertakings and to assume the obligations permitted by Act No. 42 enacted at the 1971 Regular Session of the Legislature; to provide that the issuance of any warrants and the interest coupons applicable thereto or the execution of any contract pursuant to the said Act No. 42 shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof; to exempt such warrants and contracts from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 231. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

H. 124. To amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors," approved September 23, 1959, to authorize depositories for county health funds.

H. 182. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 113 (With Amendment). To provide for the duties and compensation for the members of the Board of Equalization in all counties having a population of not less than 300,000 nor more than 500,000 according to the last federal decennial census.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 252. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Madison County shall be made.

The above bill was read a second time at length as required by the Constitution.

H. 253. Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

H. 254. To apply only in counties having a population not less than 175,000 nor more than 300, according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties.

H. 255. To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

H. 256. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 247. To amend Section 1 of Act No. 1165, H. 1509, Regular Session 1971, approved September 7, 1971, which relates to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; authorizing an expense allowance for the assistant district attorney of the inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

H. 248. To amend Section 1 of Act No. 1166, H. 1510, Regular Session 1971, approved September 7, 1971, which relates to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; authorizing an expense allowance for the judge of inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

S. 119. To provide for a State supplement to the Deputy District Attorney in the Thirty-first Judicial Circuit.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 136. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 2 and 11, Township 16N, Range 18E, Montgomery County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 280. To repeal Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971, entitled, "An act relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court."

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 246. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to St. Martin's in the Pines.

H. 271. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

H. 273. To amend Title 43, Section 8 of the Code of Alabama 1940, as amended, so as to liberalize the conditions under which prisoners may be given temporary paroles and furloughs.

H. 274. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

H. 276. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 89. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that all county and municipal employees in such counties shall observe and be given the same holidays as state employees.

Also:

H. 69. To amend Act No. 545, S. 562, Acts of the Regular Session 1965 (Acts 1965, p. 795), which relates to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties, to provide further for the compensation of such commissions.

Also:

H. 14. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the county commissioners elected in each such county.

Also:

H. 88. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the 150,000 nor more than 180,000; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue such tags for use on unmarked law enforcement vehicles without charge.

Also:

H. 161. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing that the county governing body may authorize the probate judge, tax assessor and tax collector to operate branch offices in the southern portion of such county; and to provide that such offices shall remain open for the transaction of business during certain periods of the year and during certain hours of each day.

Also:

H. 173. Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

Also:

H. 185. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and require the county governing body in such counties to furnish automobile license tags for emergency vehicles owned by volunteer fire departments in unincorporated municipalities in such counties.

Also:

H. 186. To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 4. To make additional appropriations to the Divisions of Game and Fish, Water Safety, Administrative and State Parks of the Department of Conservation and Natural Resources.

Also:

H. 5. To make appropriations from the Water Safety Fund in the State Treasury for Division of Water Safety capital improvements.

Also:

H. 103. To make appropriations from the Alabama special educational trust fund in the state treasury for the use and benefit of The State Training School for Girls.

Also:

H. 117. To make additional appropriation to the Banking Department —Bureau of Loans.

Also:

H. 90. To make a supplemental appropriation to the Bureau of Credit Unions of the Department of Banking for the fiscal years ending September 30, 1972 and September 30, 1973.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. J. R. 92. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 19, 1972.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Gloor to suspend the rules and take up for immediate consideration the resolution, H. J. R. 92, was lost, lacking a four-fifths vote.

Yeas 71; Nays 20.

Yeas:

Mr. Speaker	Crawford	Headley	Reid (R)	
Adams	Cross	Hearn	Reynolds	
Adwell	Culver	Hill	St. John	
Barkett	Dill	Jones (E)	Smith (K)	
Bassett	Downing	Jones (F)	Smith (P)	
Benton	Easters	King	Snell	
Boutwell	Edwards	Kinsey	Stewart	
Brassell	Falkenburg	Lang	Straiton	
Burgess	Fite	Lutz	Stubbs	
Callahan	Flippo	McCluskey	Therrell	
Carnes	Gafford	McCorquodale	Turner	
Carter	Gloor	McDonald	Turnham	
Casey	Goodwin	Mathews	Waldrop	
Chesnut	Grainger	Merrill	Wallace	
Collins	Gray (F)	Mims	Warren	
Connell	Grey (D)	Naramore	Williams	
Coshatt	Hale	Owens	Wynot	
Cottingham	Hardin	Parker (H)		—71

Nays:

Messrs.:	Erdreich	Meeks	Stokes	
Baker	Harris	Nettles	Timmons	
Cauthen	McBride	Parker (T)	Waggoner	
Crowe	Manley	Roberts	Weeks	
Doss	May	Slate	Wood	
Ellis				—20

And the resolution, H. J. R. 92, was read and referred to the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hobbie, Harris, Straiton and Jones (F):

H. J. R. 93. MOURNING THE DEATH OF CORBIN HARDAWAY, JR.

WHEREAS this Legislature has learned of the recent death of Corbin Pickett Hardaway, Jr., age 73, and a resident of Montgomery, who was the son of Corbin Pickett Hardaway, Sr. and Grace Watts Hardaway and was a descendant of the Virginia Revolutionary War hero, Captain William Bibb and the great-grandson of Alabama's Civil War Governor, Thomas Hill Watts; and

WHEREAS Corbin Pickett Hardaway, Jr. was an outstanding gentleman who was ever ready to contribute to the needs of his neighbors and for the progress and betterment of his home town, country and State; and

WHEREAS he brought honor, distinction and glory, not only to his country, but to himself because of his bravery and devotion. These outstanding attributes led our brother nation of England to honor him for heroism in World War I; and

WHEREAS Corbin Pickett Hardaway, Jr. continued his family's tradition of service to the State of Alabama and served with the State Highway Department for several years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of this fine Southern gentleman, Corbin Pickett Hardaway, Jr. and extends its deepest sorrow to the members of his family.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 93, on the Clerk's desk for one legislative day.

Also:

By Messrs. Hobbie, Harris, Straiton and Jones (F):

H. J. R. 94. MOURNING THE DEATH OF OSCAR "POP" McINTOSH SPENCER

WHEREAS Oscar "Pop" McIntosh Spencer of Montgomery recently passed away. "Pop" served as custodian at Fort Dixie Graves Armory for thirty-two years; and

WHEREAS he exhibited throughout his life those admirable attributes of friendliness, devotion to duty, and concern for his fellowman. His youthful outlook, vivacity and warm personality endeared him to all who have been fortunate enough to be his friend; and

WHEREAS "Pop" Spencer was a prominent leader in the civic, social and religious life of his city and took an active part in the betterment of his community and was particularly interested in local projects for young people. He was a charter member of the Eastbrook Optimist Club, active with the Boy Scouts for many years and a devoted member of the First Presbyterian Church of Montgomery; and

WHEREAS he was a staunch upholder, through the long years, of all that is high and worthy in the religious, communal and economic life of our citizenship; his death is an irreparable loss to all Alabamians; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the death of

Oscar "Pop" McIntosh Spencer and extends its heartfelt condolences to his widow, Thelma Spencer.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 94, on the Clerk's desk for one legislative day.

RESOLUTIONS

The following resolutions introduced on the Sixteenth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 80. COMMENDING THE CITY OF SUMITON, THE CITY COUNCIL, THE MAYOR AND THE CITIZENRY FOR THE DEDICATION OF THEIR NEW MUNICIPAL BUILDING

H. J. R. 81. MOURNING THE DEATH OF HENRY WARD McMILLAN

H. J. R. 82. MOURNING THE DEATH OF GEDDES SELF, SR.

H. J. R. 83. MOURNING THE DEATH OF MURRAY CHESLEY ARGO, SR.

H. J. R. 84. COMMENDING EDGAR ALLAN POE UPON HIS ELECTION AS PRESIDENT OF THE GRIDEIRON CLUB

H. J. R. 89. MOURNING THE DEATH OF JOHN ED. WALLIS

On motion of Mr. Gloor, the resolutions were adopted en masse.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 285. To provide for the control of and the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

Judiciary.

By Mr. McCorquodale:

H. 286. To include members of the State Board of Pardons and Paroles under the State Employees Retirement System; to provide that each member shall be eligible for coverage under the system from the date on which he assumed his office, if necessary contributions are made.

Ways and Means.

By Messrs. Baker and Chesnut:

H. 287. To further amend Section 3 of Act No. 574 of the 1963 Regular Session of the Legislature of Alabama, approved September 16, 1963,

entitled "To provide further for assistance to blind persons" as heretofore amended.

Ways and Means.

By Messrs. Baker and Chesnut:

H. 288. To provide that certain school lunchroom and janitorial employees in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such school lunchrom and janitorial employees, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school lunchroom and janitorial employees out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. Carnes, Wynot and Waldrop:

H. 289. Relating to the offering of programs at Gadsden by the University of Alabama and Jacksonville State University; to provide that Gadsden State Junior College shall provide classrooms, library, and office facilities to said institutions, and to set the compensation to be paid to the said Gadsden State Junior College by said institutions.

Judiciary.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 290. Relating to Marengo County; providing an expense allowance for the members and clerk of the jury commission.

Local Legislation No. 1.

Notice and Proof H. 290:

STATE OF ALABAMA
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; providing an expense allowance for the members and clerk of the jury commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the jury commission and the clerk thereof in Marengo County, may, at the discretion of the county governing body, be

paid an expense allowance of $300.00 per annum. Such allowance shall be in addition to all other allowances prescribed by law and be paid out of the county treasury on claim approved by Jury Commission Chairman.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher and editor of THE DEMOCRAT-REPORTER, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for three successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 2, Dec. 9 and Dec. 16, all in the year 1971.

GOODLOE SUTTON.

Sworn to and subscribed before me December 28, 1971.

JEAN R. SUTTON,
Notary Public.

By Mr. Reid (R):

H. 291. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide for an expense allowance for the license inspector.

Local Legislation No. 1.

By Messrs. Pruitt and Manley: (With Notice and Proof)

H. 292. Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 292:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sumter County Board of Education, the Sumter County Commission or other board, commission, authority, public corporation or person, charged with the supervision and control of buildings in which the title in whole or in part is vested in Sumter County may insure such buildings within its jurisdiction and control, together with the furniture, fixtures and property in such buildings for the insurable value thereof, with insurance companies of its own choosing and shall not be required to insure such buildings and property by or through either the State Insurance Fund or the State Department of Finance.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 1, 8, 15, and 22, all in the year 1971.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me December 29, 1971.

SANDRA A. ATWELL,
Notary Public,
State of Alabama at Large.

By Mr. Reid (R):

H. 293. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to authorize the county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands within the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

By Messrs. Stewart, Crow, Carnes, Burgess, Doss, Waldrop, Flippo, Roberts, Mims, Robertson and Fite:

H. 294. To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forebearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Banking.

By Mr. Jones (F):

H. 295. To amend Section 3 of Act No. 2293, H. 221, 1971 Regular Session, approved October 1, 1971, entitled, "An Act, Creating a bureau of credit unions, the position of supervisor of the bureau of credit unions and a credit union board; providing for the qualifications, duties and responsibilities of the bureau, the supervisor and the board members; and further providing for the examination and supervision of credit unions by the bureau and for the expenses of operating the bureau," so as to change the method of appointing the members of the credit union board created by this Act.

Banking.

By Messrs. King, Grainger, Hearn and Hale:

H. 296. To create a Human Resources Coordinating Commission to develop policies, procedures and regulations for comprehensive human resources development. Also to create a state wide Human Resources Coordinating Council which shall advise and counsel the single state agancy in the administration of the state plans for human resources service.

Health.

By Messrs. King, Grainger and Hale:

H. 297. Proposing an amendment to the Constitution of Alabama pertaining to the granting of any powers necessary and proper to the Legislature of Alabama for consolidation of the government in any county of the State and the government of any incorporated municipality located in said county, and matters relating thereto.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. King, Grainger, Hearn and Hale:

H. 298. To create the State Housing Finance Agency in order to assist in the acquisition and development of land and the construction, rehabilitation, financing, management, maintenance, sale and rental of dwelling units for lower-income persons and families; to prescribe the membership of the Housing Finance Agency, provide for officers of such agency and prescribe their terms and compensation; to prescribe the powers, duties and authority of the agency; to create a revolving fund to be known as the "Housing Development Fund," and to regulate the use thereof; to authorize the Housing Finance Agency to borrow money and issue bonds and notes in evidence thereof; to provide that obligations issued under this Act shall be negotiable instruments, but shall not be general obligations of the State or of any political subdivision thereof; to prescribe remedies for the collection of the debts contracted under this Act; and to provide certain tax exemptions to such Housing Finance Agency.

State Administration.

By Messrs. Cauthen, Lyons, Carter, Chesnut, Reynolds, Doss, Erdreich, Falkenburg, Adwell, Baker, St. John, Casey, McCluskey, Coshatt, Easters, Waldrop, Grey (D), Gray (F), Naramore, Crowe, Roberts, Weeks, King, Perloff, McBride and Stokes:

H. 299. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Intergovernmental Cooperation.

By Messrs. Grainger, Hardin, Lutz, Hearn, King, Hale, McCorquodale, Edwards, Fite, Mims, Turner, Cottingham and Warren:

H. 300. To further amend Title 51, Section 17, Code of Alabama 1940, as last amended, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Ways and Means.

By Mr. Williams:

H. 301. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Local Legislation No. 1.

By Mr. Owens:

H. 302. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance

with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Insurance.

By Mr. Hobbie:

H. 303. To amend further Act No. 999, H. 288, Regular Session 1969, (acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Banking.

By Messrs. Mims and Warren:

H. 304. To appropriate $5,000 from the Special Educational Trust Fund in the State Treasury to the Monroe County Board of Education to be used solely for the purpose of replacing band instruments destroyed by a tornado at J. U. Blacksher High School, Uriah, Alabama.

Ways and Means.

By Messrs. Crowe and Lyons:

H. 305. To authorize the Bureau of Publicity and Information to prepay to employees of said Department necessary travel expenses for such employees on authorized official State business outside the State of Alabama; to provide certain limitations as to the amount of such prepaid expenses; and to provide that the Department of Examiners of Public Accounts shall annually examine the expenditure of funds used in accordance with this Act.

Banking.

By Messrs. Crowe, Smith (P), Stewart and Lyons:

H. 306. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

Intergovernmental Cooperation.

By Messrs. Stewart, Crowe, Flippo, Hill and Smith (P):

H. 307. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Ways and Means.

By Messrs. Cross and Carter:

H. 308. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Harris:

H. J. R. 95. MOURNING THE DEATH OF ROBERT HORTON RUTLAND, JR.

WHEREAS Robert Horton Rutland, Jr., age 29, a former resident of Montgomery and the son of a former member of the staff of the Building Commission, died January 1, 1972, in an automobile accident near Palo Alto, California; and

WHEREAS this promising young man was an outstanding scholar who served on the staff of his high school newspaper, "The Blue and White", at Lanier High School and was a national merit scholarship finalist in his senior year. Bob used his keen mind and great intelligence to earn his pre-law Bachelor's Degree from Auburn University and his LL.B. degree from the University of Alabama. After graduation from law school Bob successfully completed the Alabama State Bar Examination and became a member of the Alabama State Bar; and

WHEREAS he demonstrated a sensitivity and responsiveness far above the average individual and was ever ready to contribute to the needs of his friends and for the progress and betterment of those whith whom he came in contact. Bob had a marvelous wit and impressed his associates with the qualities of his character; and

WHEREAS Bob worked with the Legislative Reference Service for two summers during school and immediately following his graduation from law school. Upon his graduation he entered the Marine Corps and served his country with integrity and honor. After his discharge from the Marine Corps he made his home in California; and

WHEREAS the presence of this outstanding young man brought much joy and delight to all his family and friends. Bob's untimely death is an irreparable loss not only to those who knew him but to mankind; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the untimely death of this fine young man, Robert Horton Rutland, Jr., and expresses profound grief and deep sorrow to his family.

BE IT FURTHER RESOLVED, that the Clerk of the House appoint Representative James D. Harris, Jr. of Montgomery County as its representative to transmit copies of this resolution to members of the family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 95, on the Clerk's desk for one legislative day.

Also:

By Mr. Dill:

H. J. R. 96. CREATING A JOINT JUVENILE JUSTICE INTERIM STUDY COMMITTEE TO EXAMINE THE ADMINISTRATION OF JUVENILE COURTS AND INSTITUTIONS IN THE STATE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Juvenile Justice Interim Study Committee to examine juvenile procedures in the State, including the function and administration of courts, corrective measures, and all institutions and authorities charged with juvenile affairs.

The committee shall consist of seven persons, four of whom shall be members of the House to be appointed by the Speaker of the House and three who shall be members of the Senate to be appointed by the Lieutenant Governor.

The expenses of this committee shall be paid out of funds appropriated to the use of the legislature, and all members shall receive the regular legislative pay and expense allowances, provided, however, that in no event shall the pay and expenses provided for under the provisions of this resolution exceed $10,000 for each year.

BE IT FURTHER RESOLVED, That the committee shall elect one of its members as chairman and shall meet at his call, four members constituting a quorum. The first meeting shall be held within sixty days after the close of the current legislative session.

The committee shall prepare and submit a report of the facts compiled to the full House and Senate not later than the tenth legislative day of the next regular session of the Alabama Legislature.

On motion of Mr. Dill, the rules were suspended and the resolution, H. J. R. 96, was adopted.

Also:

By Messrs. Adwell, Boutwell, Weeks, Meeks, Waggoner, McBride, Gafford, Ellis, Timmons, Parker (H), Doss and Wallace:

H. J. R. 97. HONORING DR. ALSTON CALLAHAN FOR SERVICES AND OUTSTANDING WORK DONE IN BIRMINGHAM, ALABAMA.

WHEREAS, Dr. Alston Callahan is internationally known for his ophthalmic surgery, his fine text and teaching films, delicate reconstructive procedures and other outstanding professional achievements; and

WHEREAS, Dr. Callahan has been most instrumental in enlisting the support of philantropists and fellow ophthalmologists which resulted in the creation of the Eye Foundation Hospital; and

WHEREAS, Dr. Callahan was chief of eye surgery at Northington General Hospital in Tuscaloosa, Alabama, during World War II, participating in very difficult operations that were responsible for many successful reconstructions on soldiers who had sustained severe eye injuries; and

WHEREAS, Dr. Callahan was successful in interesting the Ingalls Foun-

dation, the Meyer Foundation, the Spain Foundation, and others in the Eye Foundation Hospital; and

WHEREAS, Dr. Callahan has traveled extensively throughout our nation to attend professional meetings and lecture; and

WHEREAS, Dr. Callahan can take great pride in his wife and five children who have distinguished themselves; Kristina Alice, a young actress recently completing a tour with Gloria Swanson in "Butterflies Are Free", Patrick Callahan who is working for his doctorate in particle physics at the University of California in Los Angeles, Michael Callahan, a physician now interning at the University Hospital, Birmingham, and who after four years of training in ophthalmology in San Francisco, will enter the practice of ophthalmology with his father, Timothy, a successful banker in Birmingham, Alabama, and Karin Eivor, who is a junior in high school; and

WHEREAS, He is greatly admired and respected by his family, friends and fellow citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they recognize and pay tribute to this outstanding citizen for his many civic and professional achievements.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to him and his family and to Dr. Joseph Volker at U.A.B. for the Eye Foundation Hospital.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 97, on the Clerk's desk for one legislative day.

Also:

By Mr. Culver:

H. J. R. 98. Re-creating the Joint Interim Committee on Agriculture

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution and the first legislative day of the 1975 regular legislative session, which shall make a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1975 regular session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee. The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. The total expenditures of the committee in any fiscal year shall not exceed ten thousand dollars, inclusive of per diem legislative pay.

On motion of Mr. Culver, the rules were suspended and the resolution, H. J. R. 98, was adopted.

Also:

By Mr. Turnham:

H. J. R. 99. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY HJR 107, ACT NO. 483, APPROVED SEPTEMBER 6, 1957, TO STUDY THE PROBLEMS INVOLVED IN THE PRODUCTION AND PROCESSING OF COTTON.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to HJR 107, Act No. 483, approved September 6, 1957 (Acts of 1957, p. 667) shall continue in existence and shall continue its work as directed in said Act No. 483, provided that the members of the committee shall be elected by the respective houses as provided in Act No. 483. The committee shall make a report to the Legislature on or before the fifth legislative day of the 1973 Regular Session.

RESOLVED FURTHER, That the Lieutenant Governor of Alabama, the Speaker of the House of Representatives and the Commissioner of Agriculture and Industries shall serve as ex officio members of the committee.

RESOLVED FURTHER, That the committee is authorized to meet thirty days in addition to the meeting days heretofore provided for, and each member of the committee shall be entitled to compensation and expenses as provided for in said Act No. 483, provided, however, that the total per diem pay, expense allowances, travel allowances and all other expenses incurred by the committee in any fiscal year shall not exceed $5,000.00, anything in said Act No. 483 of 1957 or in SJR No. 4 of the First Special Session of 1959 or in Act No. 381 of the 1967 Regular Session, or hereinabove to the contrary notwithstanding.

AND RESOLVED FURTHER, That any provision of said HJR 107, Act No. 483, of 1957, Act No. 7, SJR 4 of the First Special Session 1959, or Act No. 381 of the 1969 Regular Session and of any other resolution in conflict with this resolution are hereby rescinded.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 99, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 91.—Urging Congress to Enact the Surface Transportation Act of 1971.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 90. Recommending that the Montgomery City-County Charity Clinic be named the Lister Hill Health Center.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 56. Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House concurred in and adopted the Senate substitute to the bill, H. 56, said Senate substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to Article XI, Section 217 of the Constitution of Alabama 1901 relative to ad valorem taxation; providing for the assessment of taxable property for ad valorem tax purposes according to a classification of property with respect to ad valorem taxes levied by the State, and providing alternate methods of assessment of taxable property with respect to ad valorem taxes levied by any taxing authority other than the State.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to Article XI, Section 217 of the Constitution of Alabama 1901 is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

"Section 217 (a). All taxable property within this State, not exempt by law, shall be divided into the following classes for the purposes of ad valorem taxation:

Class I. All property of utilities used in the business of such utilities,

Class II. All property not otherwise classified,

Class III. All agricultural, forest and residential property.

(b) With respect to ad valorem taxes levied by the State, all taxable property shall be forever taxed at the same rate, and such property shall be assessed for ad valorem tax purposes according to the classes thereof as herein defined at the following ratios of assessed value to the fair and reasonable market value of such property:

Class I. 30 percentum

Class II. 25 percentum

Class III. 15 percentum

(c) With respect to ad valorem taxes levied by counties, municipalities or other taxing authority, all taxable property shall be forever taxed at the same rate, and such property shall be assessed for ad valorem tax purposes according to the classes of property defined in paragraph (a) herein and at the same ratios of assessed value to the fair and reasonable market value thereof as fixed in paragraph (b) herein, provided, however, that the Legislature may vary the ratio of assessed value to the fair and reasonable market value as to any class of property as defined in paragraph (b) herein, and provided, further, that the Legislature may fix a uniform ratio of assessment of all property within a county defined in paragraph (a) herein as Class II and III and may fix a different ratio of assessment for property defined in paragraph (a) as Class I. Such ratios as herein authorized may vary among counties so long as each such ratio is uniform within a county.

No class of property shall have a ratio of assessed value to fair and reasonable market value of less than 15 percentum nor more than 35 percentum.

(d) A county, municipality, or other taxing authority may decrease any ad valorem tax rate at any time, provided such decrease shall not jeopardize the payment of any bonded indebtedness secured by such tax. When the tax assessor of each county shall complete the assembly of the assessment book for his county for the ad valorem tax year immediately following the adoption of this amendment and the computation of ad valorem taxes that will be paid upon such assessment, he shall certify to each authority within his county that levies an ad valorem tax the amount of ad valorem tax that will be produced by every levy in that year but excluding for this purpose any assessment of property added to the tax rolls of such county for the tax year in which such certification is made that was not included on the tax rolls for the next preceding tax year. If it shall appear that the estimated ad valorem tax receipts from any levy so estimated shall be less than the receipts from the same levy during the next preceding ad valorem tax year, then the levying authority shall increase each tax rate by such millage as is necessary to produce revenue that is not less than and that is substantially equal to that received during such immediately preceding tax year. It is further provided that any and all millage adjustments shall be made in increments of not less than ½ mill. The adjustment herein required shall be made only one time and shall be made in the ad valorem tax year immediately following the adoption of this amendment.

(e) Any county, municipality, or other taxing authority may increase the rate at which ad valorem taxes are levied above the limit now provided in the Constitution provided that the proposed increase shall have been (1) proposed by the authority having power to levy the tax after a public hearing on such proposal, (2) thereafter approved by an act of the Legislature, and (3) subsequently approved by a majority vote of the qualified electors of the area in which the tax is to be levied or increased who vote on the proposal.

(f) The Legislature is authorized to enact legislation to implement the provisions of this amendment, and may provide for exemptions from taxation; provided, however, that any statutory exemption existing prior to the adoption of this amendment shall not be repealed, except by subsequent legislative act, and shall remain in full force and effect.

(g) Wherever any constitutional provision or statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes such provision shall mean as assessed for county or municipal taxes as the case may be.

(h) Any provision of the Constitution of Alabama to the contrary notwithstanding, ad valorem taxes shall never exceed 1½ % of the fair and reasonable market value of the property in any one taxable year.

(i) The following property shall be exempt from all ad valorem taxation: The real and personal property of the state, counties and municipalities and property devoted exclusively to religious, educational or charitable purposes."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article XVIII, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

Yeas 88; Nays 6.

Yeas:

Mr. Speaker	Culver	Hearn	Reynolds
Adams	Dill	Hill	Robertson
Adwell	Doss	Hobbie	St. John
Baker	Downing	Jackson	Slate
Barkett	Drake	Jones (F)	Smith (K)
Bassett	Easters	Kinsey	Smith (P)
Benton	Edwards	Lang	Snell
Boutwell	Ellis	McBride	Stewart
Bowers	Erdreich	McCluskey	Stokes
Brassell	Falkenburg	McCorquodale	Straiton
Burgess	Fite	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carter	Gafford	Mathews	Therrell
Casey	Gloor	May	Timmons
Cauthen	Goodwin	Merrill	Turner
Chesnut	Grainger	Mims	Turnham
Collins	Gray (F)	Naramore	Waggoner
Connell	Grey (D)	Parker (H)	Wallace
Coshatt	Hale	Parker (T)	Warren
Cottingham	Hardin	Perloff	Weeks
Crawford	Harris	Pruitt	Williams
Cross	Headley	Reid (R)	Wood

—88

Nays:

Messrs.:	King	Meeks	Wynot
Carnes	Lutz	Nettles	

—6

And the bill, H. 56, as thus amended:

Proposing an amendment to Article XI, Section 217 of the Constitution of Alabama 1901 relative to ad valorem taxation; providing for the assessment of taxable property for ad valorem tax purposes according to a classification of property with respect to ad valorem taxes levied by the State, and providing alternate methods of assessment of taxable property with respect to ad valorem taxes levied by any taxing authority other than the State.

Was again read at length and passed.

Yeas 73; Nays 24.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Crowe	Kinsey	St. John
Baker	Culver	Lang	Slate
Barkett	Downing	McCluskey	Smith (K)
Bassett	Drake	McCorquodale	Smith (P)
Benton	Easters	McDonald	Snell
Bowers	Edwards	Manley	Stewart
Brassell	Fite	Mathews	Straiton
Burgess	Flippo	May	Stubbs
Callahan	Goodwin	Merrill	Taylor
Carnes	Gray (F)	Mims	Therrell
Carter	Grey (D)	Naramore	Turner
Casey	Hardin	Owens	Turnham
Chesnut	Harris	Parker (T)	Waldrop
Collins	Headley	Perloff	Warren
Connell	Hill	Pruitt	Williams
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Jackson	Reynolds	Wynot
Crawford			—73

Nays:

Messrs.:	Erdreich	King	Roberts
Adwell	Falkenburg	Lutz	Stokes
Boutwell	Gafford	McBride	Timmons
Cauthen	Gloor	Meeks	Waggoner
Dill	Grainger	Nettles	Wallace
Doss	Hale	Parker (H)	Weeks
Ellis			—24

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 4. To make additional appropriations to the Divisions of Game and Fish, Water Safety, Administrative and State Parks of the Department of Conservation and Natural Resources.

Also:

H. 5. To make appropriations from the Water Safety Fund in the State Treasury for Division of Water Safety capital improvements.

Also:

H. 90. To make a supplemental appropriation to the Bureau of Credit Unions of the Department of Banking for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. 103. To make appropriations from the Alabama special educational trust fund in the state treasury for the use and benefit of The State Training School for Girls.

Also:

H. 117. To make additional appropriation to the Banking Department —Bureau of Loans.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 14. Relating to counties having a population of not less than 57,000 nor more than 61,000; requiring the rotation of duties among the county commissioners elected in each such county.

Also:

H. 69. To amend Act No. 545, S. 562, Acts of the Regular Session 1965 (Acts 1965, p. 795), which relates to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties, to provide further for the compensation of such commissions.

Also:

H. 88. Relating to counties having a population of not less than 150,000 nor more than 180,000; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue such tags for use on unmarked law enforcement vehicles without charge.

Also:

H. 89. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent fed-

eral decennial census; to provide that all county and municipal employees in such counties shall observe and be given the same holidays as state employees.

Also:

H. 161. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing that the county governing body may authorize the probate judge, tax assessor and tax collector to operate branch offices in the southern portion of such county; and to provide that such offices shall remain open for the transaction of business during certain periods of the year and during certain hours of each day.

Also:

H. 173. Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most recent Federal Decennial Census; to provide additional compensation for the court reporter of the county court in such counties.

Also:

H. 185. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and require the county governing body in such counties to furnish automobile license tags for emergency vehicles owned by volunteer fire departments in unincorporated municipalities in such counties.

Also:

H. 186. To amend Sections 1, 5, 10 and 11 of Act No. 1803, H. 2057, 1971 Regular Session of the Alabama Legislature, approved September 17, 1971, entitled, "An Act Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE STATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 57. To amend Title 51, Section 15, Code of Alabama 1940, so as

to provide a homestead exemption from all state and county ad valorem taxes not to exceed two thousand dollars ($2,000) in assessed value for state tax purposes and one thousand dollars ($1,000) in assessed value for county tax purposes nor one hundred eighty acres in area; to amend Title 51, Section 17, Code of Alabama 1940, so as to establish a classification system of property taxation and fix assessment rates for each class of property; to amend Title 51, Section 2(m), Code of Alabama 1940, so as to exempt manufactured articles in the hands of the manufacturer for twelve months; to amend Title 51, Section 2 to provide for exemption from ad valorem taxation of farming tools and farm implements all personal property (other than motor vehicles, trailers and semi-trailers) not used in a trade or business or for the production of income, and stocks of goods, wares and merchandise to the value of thirty thousand dollars; to amend Title 51, Section 704, Code of Alabama 1940, providing for the assessment and collection of ad valorem taxes on motor vehicles; to provide for the severability of the provisions of this act; to repeal all laws or parts of laws in conflict with this act; and to provide when this act shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. McCorquodale moved that the House concur in and adopt the Senate substitute to the bill, H. 57, said Senate substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17, Title 51, Code of Alabama 1940, as amended, is hereby further amended to read as follows:

1. With respect to ad valorem taxes levied by the state, and, unless otherwise provided with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the State all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property:

Class I. All property of utilities used in the business of such utilities, 30%

Class II. All property not otherwise classified, 25%.

Class III. All agricultural, forest and residential property, 15%.

2. As used herein:

(a) "all property of utilities" shall include all property assessed for taxation by the Department of Revenue pursuant to the provisions of Chapter 11, Title 51, Code of Alabama 1940, as amended;

(b) "all residential property" shall include real property used exclusively as a single-family dwelling by the owner thereof;

(c) "agricultural" and "forest" property shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur bearing animals, honeybees, and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof;

(d) "all property not otherwise classified" shall include all real property which does not fall within one or both of Classes I or III.

3. Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes. Provided, however, that should said amendment not be ratified and adopted all taxable property within the state shall be assessed at thirty percent of its fair and reasonable market value; in such event this act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified.

4. The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, educational or charitable purposes, also the property of Masonic Lodges, Knights of Columbus Homes, and Union Halls shall be exempt when used exclusively for the purpose and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

5. In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

County	Class I	Class II	Class III
Morgan	30%	20%	20%
Limestone	30%	20%	20%
Calhoun	30%	20%	20%
Etowah	30%	20%	20%
Barbour	30%	15%	15%
Geneva	30%	15%	15%
Coffee	30%	15%	15%
Pike	30%	15%	15%
Bullock	30%	15%	15%
Autauga	30%	15%	15%
Lowndes	35%	15%	15%
Butler	35%	15%	15%
Crenshaw	35%	15%	15%
Covington	35%	15%	15%
Franklin	35%	15%	15%

Lawrence	35%	15%	15%
Winston	35%	15%	15%
Marion	35%	15%	15%
Fayette	30%	15%	15%
Lamar	30%	15%	15%
Pickens	30%	15%	15%
Hale	30%	15%	15%
Greene	30%	15%	15%
Wilcox	30%	15%	15%
Clarke	30%	15%	15%
Conecuh	30%	15%	15%
Monroe	30%	15%	15%
Chambers	30%	15%	15%
Randolph	30%	15%	15%
Lee	30%	15%	15%
Dallas	30%	15%	15%
Perry	30%	15%	15%
Bibb	30%	15%	15%
Houston	30%	15%	15%
Dale	30%	15%	15%
Russell	30%	15%	15%
Henry	30%	15%	15%
Jefferson	30%	25%	20%

Section 2. The provisions of this act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become law on its passage and approval by the Governor or its otherwise becoming law and shall become effective upon the ratification and adoption of an amendment to the Constitution proposed by this session of the Legislature authorizing the classification of property for purposes of ad valorem taxation.

SUBSTITUTE MOTION OFFERED

Mr. Turnham offered the substitute motion that the House nonconcur in the Senate substitute to the bill, H. 57, and requested a Committee of Conference.

MOTION TO RECESS LOST

The motion of Mr. Turnham that the House recess for thirty minutes was lost.

Yeas 16; Nays 82.

Yeas:

Messrs.:	Coshatt	Robertson	Turner
Adams	Cottingham	Snell	Turnham
Brassell	Harris	Stewart	Waldrop
Carnes	Reed (T)	Stubbs	Wynot
Cauthen			—16

Nays:

Mr. Speaker	Drake	Jones (F)	Pruitt
Adwell	Easters	King	Reid (R)
Baker	Edwards	Kinsey	Reynolds
Barkett	Ellis	Lang	Roberts
Bassett	Erdreich	Lutz	St. John
Benton	Falkenburg	McBride	Slate
Boutwell	Fite	McCluskey	Smith (K)
Bowers	Flippo	McCorquodale	Smith (P)
Burgess	Gafford	McDonald	Stokes
Callahan	Gloor	Manley	Straiton
Carter	Goodwin	Mathews	Taylor
Casey	Grainger	May	Therrell
Chesnut	Gray (F)	Merrill	Timmons
Collins	Grey (D)	Mims	Waggoner
Connell	Hale	Naramore	Wallace
Crawford	Hardin	Nettles	Warren
Cross	Headley	Owens	Weeks
Crowe	Hearn	Parker (H)	Williams
Dill	Hill	Parker (T)	Wise
Doss	Hobbie	Perloff	Wood
Downing	Jackson		—82

SUBSTITUTE MOTION TABLED

On motion of Mr. McCorquodale, the substitute motion offered by Mr. Turnham and the House non-concur in the Senate substitute to the bill, H. 57, and request a Committee of Conference, was tabled.

Yeas 75; Nays 24.

Yeas:

Mr. Speaker	Doss	Jackson	Reynolds
Adwell	Downing	Jones (F)	Roberts
Barkett	Drake	Kinsey	St. John
Bassett	Easters	Lang	Slate
Benton	Edwards	McBride	Smith (K)
Boutwell	Ellis	McCluskey	Smith (P)
Bowers	Erdreich	McCorquodale	Stokes
Burgess	Falkenburg	McDonald	Straiton
Callahan	Fite	Manley	Taylor
Carter	Flippo	Mathews	Therrell
Casey	Gafford	May	Timmons
Chesnut	Gloor	Merrill	Waggoner
Collins	Goodwin	Mims	Wallace
Connell	Gray (F)	Naramore	Warren
Coshatt	Grey (D)	Owens	Weeks
Crawford	Hardin	Parker (H)	Williams
Cross	Headley	Parker (T)	Wise
Crowe	Hearn	Pruitt	Wood
Dill	Hobbie	Reid (R)	—75

Nays:

Messrs.:	Culver	Lutz	Stewart
Adams	Grainger	Meeks	Stubbs
Baker	Hale	Nettles	Turner
Brassell	Harris	Perloff	Turnham
Carnes	Hill	Robertson	Waldrop
Cauthen	King	Snell	Wynot
Cottingham			—24

The question, then, was on the adoption of the motion of Mr. McCorquodale that the House concur in and adopt the Senate substitute to the bill, H. 57, and the motion was adopted.

Yeas 77; Nays 21.

Yeas:

Mr. Speaker	Drake	Kinsey	Roberts
Baker	Easters	Lang	St. John
Barkett	Edwards	McBride	Slate
Bassett	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	Manley	Straiton
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	May	Taylor
Carter	Gloor	Merrill	Therrell
Casey	Goodwin	Mims	Timmons
Chesnut	Gray (F)	Naramore	Waggoner
Collins	Grey (D)	Owens	Wallace
Connell	Hardin	Parker (H)	Warren
Coshatt	Headley	Parker (T)	Weeks
Crawford	Hill	Perloff	Williams
Cross	Hobbie	Pruitt	Wise
Crowe	Jackson	Reid (R)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			—77

Nays:

Messrs.:	Cottingham	King	Snell
Adams	Dill	Lutz	Stewart
Adwell	Grainger	Meeks	Turner
Brassell	Hale	Nettles	Turnham
Carnes	Harris	Robertson	Waldrop
Cauthen	Hearn		—21

And the bill, H. 57, as thus amended:

To amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Was again read at length and passed.

Yeas 64; Nays 35.

Yeas:

Mr. Speaker	Carnes	Crawford	Edwards
Baker	Carter	Cross	Fite
Barkett	Casey	Crowe	Flippo
Bassett	Chesnut	Culver	Goodwin
Benton	Collins	Downing	Gray (F)
Burgess	Connell	Drake	Grey (D)
Callahan	Coshatt	Easters	Hardin

Headley	McDonald	Perloff	Straiton
Hill	Manley	Pruitt	Stubbs
Hobbie	Mathews	Reid (R)	Taylor
Jackson	May	Reynolds	Therrell
Jones (F)	Merrill	Robertson	Warren
Kinsey	Mims	St. John	Williams
Lang	Naramore	Smith (K)	Wise
McCluskey	Owens	Smith (P)	Wood
McCorquodale	Parker (T)	Stewart	Wynot

—64

Nays:

Messrs.:	Doss	Hearn	Snell
Adams	Ellis	King	Stokes
Adwell	Erdreich	Lutz	Timmons
Boutwell	Falkenburg	McBride	Turner
Bowers	Gafford	Meeks	Turnham
Brassell	Gloor	Nettles	Waggoner
Cauthen	Grainger	Parker (H)	Waldrop
Cottingham	Hale	Roberts	Wallace
Dill	Harris	Slate	Weeks

—35

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 59. A bill to provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. McCorquodale moved that the House concur in and adopt the Senate substitute to the bill, H. 59, said Senate substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be the function, duty and responsibility of the Department of Revenue to periodically inspect and supervise the implementation and program of reappraisal of all property in the State of Alabama and to regulate, according to a definite schedule, the individual county-by-county reappraisal of such property.

Section 2. The Department of Revenue shall prescribe procedures and shall set standards for the work to be done under this program. Any contract for services required by a county pursuant to the appraisal of property under this Act shall be approved by the Department of Revenue and the work required to be performed shall not be considered finished until the standards of work applied and performed have been inspected and approved by the Department of Revenue.

Section 3. Each county governing body of this state through its respective tax assessor shall have the property of such county appraised at its fair and reasonable market value which fair and reasonable market value shall be the basis of assessments for ad valorem taxes.

Section 4. The appraisal of property shall be commenced and completed for each county at the earliest dates consistent with good business and sound appraisal practices, but in any event completed not later than two years from the passage of this Act and approval by the Governor or its otherwise becoming a law.

Section 5. The Department of Revenue shall prescribe for the counties the procedures to be followed, standards to be met, forms to be used, records to be kept and progress reports to be filed. The Department of Revenue shall also design a permanent uniform record system which shall be used by all counties for maintaining records of property ownership and property values.

Section 6. The Department of Revenue may, with the approval of the Governor, employ any appraisal firms employing a duly accredited member or members of the American Institute of Real Estate Appraisers as consultants to inspect the various systems of assessing in each county and to advise the Department of Revenue of the best procedures to be followed in the several counties so as to expedite the statewide reappraisal as required by law. Provided, however, that any firms or appraisers hired by the State Department of Revenue or by local government shall be bona fide residents of the State of Alabama and shall have resided in the state for at least one year prior to the passage of this Act.

Section 7. The Department of Revenue shall consult and advise with the county governing bodies and tax assessors as to its findings in each county and, after consultation determine the chosen system of appraisal to be put into effect without delay in order that the assessments for ad valorem taxes in each such county may be equalized at the earliest possible date. Furthermore, a general schedule for completion of the various stages of appraisal for each county shall be agreed upon by the Department of Revenue and respective tax assessor and county governing body within the limits prescribed by this Act and shall be forthwith certified by the Department of Revenue.

Section 8. (I) Should any county fail or refuse for any reason to comply with the provisions of this act, the department of revenue shall employ qualified appraisers and/or let any contract necessary to accomplish the requirements of its directives and legal requirements as to property reappraisal.

(II) When it becomes necessary for the Department of Revenue to reappraise any county for the purpose of ad valorem taxation equalization, the Department of Revenue shall hire the necessary personnel from an employment register furnished them by the State Personnel Department. When any of the several counties elects to reappraise their particular county under the requirements and criteria set up by the Department of Revenue for such

reappraisal program, the employees of the several counties shall meet the same requirements as set forth by the Department of Revenue for the State without becoming employees of the State Merit System. Approved Appraisers must be certificate holders or members of a recognized Appraisal Association or have at least five (5) years appraisal experience certified to by recognized lending associations, such as, banks, or companies who are approved by the Veterans Administration or the U.S. Department of Housing and Urban Development or Federal Reserve Board.

Section 9. The cost of any program for the equalization of ad valorem taxes shall be pro-rated by each county governing body to each agency therein on the basis of the proportion of the monies received by each agency in the county to the total amount received by all agencies of such county.

Section 10. The county governing bodies of the several counties are hereby authorized to issue any revenue bonds or warrants deemed essential in accordance with existing statutes and laws of the State of Alabama, to meet their financial obligations under a property reappraisal program, provided, however, any revenue bonds or warrants issued for a property reappraisal program other than that required by this Act shall be approved by the legislature. The heretofore stated provision for financing is hereby authorized to be applied by the State to cover the expenses necessarily incurred to finance the reappraisal of property in any and all counties, whenever it shall become necessary for the Department of Revenue to conduct the property reappraisal program in such county. The proceeds from such bonds or warrants issued by the state or county shall be repaid on the same proration basis as set out previously in Section 9.

Section 11. There is hereby appropriated to the Department of Revenue the sum of $250,000 per annum to be used by said department to pay the expense of its compliance with the provisions of this act and to establish a fund which shall be used by the said department to maintain a program for the equalization of ad valorem tax assessments in this state. Whenever the amount in this fund exceeds the sum of $2,500,000, such excess shall revert to the general fund of the state. This appropriation shall commence upon the adoption of this Act. This appropriation shall be over and above any expense incurred by the Department of Revenue in the event it becomes necessary for the Department of Revenue to reappraise any particular county or contract for the reappraisal of any county. Furthermore, the aforementioned appropriation of $250,000 per annum shall be credited against the state's portion of that expense for carrying out the reappraisal program in each of the several counties of the State. Should it become necessary for the Department of Revenue to reappraise and equalize, or make any contract for the reappraisal and property equalization of any county, the State is hereby authorized to charge the respective county governing body with only that part of the expense which would be the pro-rata share normally charged to each local governmental agency of the county; and the State shall contribute its pro-rata share, and the same shall be credited against the total expenditure involved for each such county.

Section 12. Where the property of a county has been appraised at its fair and reasonable market value as required by this act to the reasonable satisfaction of the Department of Revenue, this fact shall be certified to the county board of equalization and to the tax assessor of such county and such values shall be the basis for the equalization of the assessments for ad valorem taxes in such county for the next tax year. The fair and reasonable mar-

ket values certified shall be prima-facia correct for assessments for such tax year but shall be subject to review by the county board of equalizations which after a hearing of the complaint of a property owner shall fix the fair and reasonable market value at the amount it deems to be proper. The county board of equalization shall not hold a hearing as provided herein without giving due notice of such hearing to the county governing body and the Department of Revenue one or both of which shall be represented at such hearing. Either the property owner or the state may appeal from the finding of the county board of equalization. Such appeal shall be to the circuit court of the county where the property is located. The hearing granted by the county board of equalization shall be in accordance with the procedure set out in Section 103, Title 51, Code of Alabama 1940, provided, however, the board may begin the hearing of protests as soon as property owners have been notified of the fair and reasonable market value attributed to their property and shall continue sitting for the purpose of such hearings until all who protest have been heard. Where the members of the county board of equalization are paid on a per-diem basis, compensations for any days the members are required to perform duties under this act which are in addition to the days for which they will be paid under normal appropriations and allocations shall be paid by the county governing body from the funds provided by this act.

Section 13. There is hereby appropriated to the Department of Revenue to be used in the program of ad valorem tax equalization provided for in this act, and shall be paid over to the Department of Revenue for this purpose, any other law to the contrary notwithstanding, for the fiscal year ending September 30, 1972, one million dollars, for the year ending September 30, 1973, three million dollars which amounts shall be the first claim against the funds from which appropriated. The funds here appropriated shall be drawn one-third from any Alabama Beverage Control Board income otherwise required by law to be distributed to the several counties and two thirds from the tax levied by Section 182, Title 51, Code of Alabama, 1940, as amended. This act shall in no way change the distribution of the remainder of the funds from which these appropriations are made.

The funds hereby appropriated shall be used by the Department of Revenue to finance the reappraisal program required by this Act in any county which for any reason can not issue the bonds or warrants provided for in Section 10 hereof. Any amount expended by the Department of Revenue on behalf of any county less the part of the cost to be borne by the state shall be repaid to the state with interest at the rate of 5% per annum, one-tenth of the total for each of ten successive years beginning with the fiscal year next following the year for which the reappraised values are used as a basis for ad valorem tax assessments. This obligation shall be the first claim against any ad valorem taxes collected in a county for which the funds provided herein are used The state and each agency of such county shall bear its pro-rata share of the costs on the basis of the revenue received from ad valorem taxes. The amounts repaid to the state shall be redistributed to the funds from which appropriated.

Section 14. Any public official having responsibility in the Statewide Equalization Program who deliberately commits any act or deed to avoid or in any way frustrate the provisions or intent of the law shall be charged with a misdemeanor and shall if convicted be subject to a fine of not more than $500.00 (Five Hundred Dollars) for each such offense."

Section 15. The statewide property reappraisal program shall be ad-

ministered by the Commissioner of Revenue, State of Alabama, and supervised by the chief of the Ad Valorem Tax Division.

Section 16. The provisions of this act are severable. If any part of this act is declared to be invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. All laws or parts of laws in conflict herewith are hereby repealed.

Section 18. This law shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

SUBSTITUTE MOTION TABLED

On motion of Mr. McCorquodale, the substitute motion offered by Mr. Cauthen that the House non-concur in the Senate substitute to the bill, H. 59, and request a Committee of Conference was tabled.

Yeas 81; Nays 10.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boutwell	Erdreich	McCorquodale	Stewart
Bowers	Falkenburg	McDonald	Stokes
Brassell	Fite	Manley	Straiton
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	May	Taylor
Carnes	Gloor	Merrill	Therrell
Carter	Goodwin	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Chesnut	Grey (D)	Owens	Waggoner
Collins	Hale	Parker (H)	Wallace
Connell	Harris	Parker (T)	Warren
Coshatt	Headley	Perloff	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Jackson	Reid (R)	Wise
Crowe	Jones (E)	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing			—81

Nays:

Messrs.:	Dill	King	Robertson
Cauthen	Grainger	Lutz	Waldrop
Culver	Hill	Nettles	—10

The question, then, was on the adoption of the motion offered by Mr. McCorquodale that the House concur in and adopt the Senate substitute to the bill, H. 59, and the motion was adopted.

Yeas 86; Nays 9.

Yeas:

Mr. Speaker	Adwell	Benton	Bowers
Adams	Barkett	Boutwell	Brassell

Burgess	Fite	McCorquodale	Slate
Callahan	Flippo	McDonald	Smith (K)
Carnes	Gafford	Manley	Smith (P)
Carter	Gloor	Mathews	Stewart
Casey	Goodwin	Meeks	Stokes
Chesnut	Gray (F)	Merrill	Straiton
Collins	Grey (D)	Mims	Stubbs
Connell	Hardin	Naramore	Taylor
Coshatt	Harris	Owens	Therrell
Cottingham	Headley	Parker (H)	Timmons
Crawford	Hearn	Parker (T)	Turner
Cross	Hill	Perloff	Waggoner
Crowe	Hobbie	Pruitt	Wallace
Culver	Jackson	Reed (T)	Warren
Doss	Jones (E)	Reid (R)	Weeks
Downing	Jones (F)	Reynolds	Williams
Edwards	Kinsey	Roberts	Wise
Ellis	Lang	Robertson	Wood
Erdreich	McBride	St. John	Wynot
Falkenburg	McCluskey		—86

Nays:

Messrs.:	Grainger	Lutz	Snell
Cauthen	Hale	Nettles	Waldrop
Dill	King		—9

And the bill, H. 59, as thus amended:

To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

Was again read at length and passed.

Yeas 70; Nays 27.

Yeas:

Mr. Speaker	Crowe	Kinsey	Reid (R)
Adams	Culver	Lang	Reynolds
Baker	Downing	McCluskey	Robertson
Barkett	Drake	McCorquodale	St. John
Benton	Edwards	McDonald	Smith (K)
Boutwell	Ellis	Manley	Smith (P)
Bowers	Fite	Mathews	Snell
Brassell	Flippo	May	Stewart
Burgess	Goodwin	Meeks	Straiton
Callahan	Gray (F)	Merrill	Stubbs
Carter	Grey (D)	Mims	Taylor
Chesnut	Harris	Naramore	Therrell
Collins	Headley	Owens	Turner
Connell	Hearn	Parker (T)	Warren
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wood
Cross	Jones (F)		—70

Nays:

Messrs.:	Bassett	Casey	Doss
Adwell	Carnes	Dill	Easters

Erdreich	Hale	Parker (H)	Waggoner
Falkenburg	King	Roberts	Waldrop
Gafford	Lutz	Slate	Wallace
Gloor	McBride	Stokes	Weeks
Grainger	Nettles	Timmons	Wynot

—27

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 132. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Nettles, the House concurred in and adopted the Senate substitute to the bill, H. 132, said Senate substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this act the following words and phrases unless otherwise clearly indicated shall mean:

"County governing body" means the chief administrative body of each county in this state.

"Flood" or "flooding" means the general and temporary condition of partial or complete inundation of normally dry land areas (a) from the overflow of streams, rivers and other inland waters or (b) from tidal surges, abnormally high tidal waters, tidal waves or rising coastal waters resulting from tsunamis, hurricanes, or other severe storms.

"Flood-prone area" means any area with a frequency of inundation of once in 100 years as defined by qualified hydrologists or engineers using methods that are generally accepted by persons engaged in the field of hydrology and engineering.

"Land use and control measures" means zoning ordinances, subdivision regulations, building codes, health regulations and other applications and extensions of the normal police power to provide safe standards of occupancy for prudent use of flood-prone areas.

Section 2. Because of the great financial and economic loss, as well as human suffering, caused by floods and flooding in this state and despite plans and programs, directly or indirectly affecting the control of flood waters, and the reduction of flooding, there also exists a clear and definite public need for a program to provide flood insurance coverage in flood-prone areas of this state. It is the declared purpose of this act to provide in each county of this state a comprehensive land use management plan by:

(a) constricting the development of land which is exposed to flood damage in the flood-prone areas;

(b) guiding the development of proposed construction away from locations which are threatened by flood hazards;

(c) assisting in reducing damage caused by floods; and

(d) otherwise improving the long-range management and use of flood-prone areas.

Section 3. The county governing body in each county of this state is hereby authorized and may adopt zoning ordinances and building codes for flood-prone areas which lie outside the corporate limits of any municipality in the county. Each such governing body shall have broad authority to establish or cause to be established comprehensive land use and control measures which shall specifically include the control and development of subdivisions in flood-prone areas; to establish or cause to be established building codes and health regulations incorporating such minimum standards as shall be necessary to reduce flood damage in flood-prone areas; to provide such standards of occupancy for the prudent use of flood-prone areas in the county; to provide for the preparation of maps clearly delineating flood-prone areas and floodways in the county and to keep the same for public inspection; to make such studies as may be necessary to carry out the purposes of this act; to employ such technical and/or advisory personnel including the establishment of a county planning commission, as is deemed necessary or expedient; and to adopt ordinances for the enforcement of all such regulations.

Section 4. Land use and control measures shall provide land use restrictions based on probable exposure to flooding. Measures specified in this section shall:

(a) prohibit inappropriate new construction or substantial improvements in the flood-prone areas;

(b) control land uses and elevations of all new construction within the flood-prone area;

(c) for coastal flood-prone areas prescribe land uses and minimum elevations of the first floors or buildings and include consideration of the need for bulkheads, seawalls and pilings;

(d) be based on competent evaluation of the flood hazard as revealed by current authoritative flood-prone information;

(e) be consistent with existing flood-prone management programs affecting adjacent areas and applicable to appropriate state standards; and

(f) prescribe such additional standards as may be necessary to comply with federal requirements for making flood insurance coverage under the National Flood Insurance Act of 1968 available in this state.

Section 5. In addition to land use restrictions commensurate with the degree of the flood hazards in various parts of the area, there shall be such subdivision regulations as may be necessary:

(a) to prevent the inappropriate development of flood-prone lands;

(b) to encourage the appropriate location and elevation of streets, sewers, and water systems and the reservation of adequate and convenient open space for utilities;

(c) to provide for adequate drainage so as to minimize exposure to flood hazards and to prevent the aggravation of flood hazards; and

(d) to require such minimum elevation of all new development as required.

Section 6. Building codes and health regulations shall include all applicable state and local provisions and shall cover all public and private construction and development in flood-prone areas including, but not limited to, private homes; farm buildings; all buildings (except accessory buildings of under 200 square feet of floor space); streets, avenues, roadways, alley ways and easements; electricity, water systems and sewerage disposal systems. Such regulations may require that all proposed improvements and developments in flood-prone areas will:

(a) properly elevate structures so as to assure protection from reasonably expected flooding;

(b) design buildings so as to prevent flotation and collapse, giving special attention to the adequacy of foundations and to prevent damage to nonstructural elements;

(c) provide for the protection of heating systems and other critical mechanical or electrical installations from damage by flooding;

(d) not create unhealthful areas of pondage or accumulation of debris and obstacles in flooding situations;

(e) provide adequate controls on the placement of septic tanks to avoid contamination during flooding;

(f) provide adequate sewerage and water systems which will not be adversely affected by flooding; and

(g) require and encourage flood proofing, to the maximum extent practicable in connection with all proposed major improvements, repairs, and rehabilitations of existing structures.

Section 7. The county governing body desiring to participate in this program shall require every person, firm, corporation or agency to submit

plans and specifications for all proposed construction and development in flood-prone areas lying outside the corporate limits of municipalities of the county prior to commencing operations. If such plans and specifications conform in every respect with the applicable specifications, rules and regulations adopted by the governing body of the county, said governing body shall issue a permit therefor and shall charge such issuance fee as the governing body shall agree is just and reasonable. All such fees shall be deposited in a special fund in the county treasury and shall be used to enforce the provisions of this act and no permits shall be issued for any construction or development for which plans and specifications are not in substantial compliance with the specifications, rules and regulations adopted by the county governing body; provided, nothing in the foregoing shall be construed to require a permit for, or otherwise relate to, the location, erection, construction, reconstruction, alteration or maintenance of utility poles, towers, lines, conduits, pipes, mains, or of any utility facilities constructed pursuant to authority conferred by statutes, franchises, certificates of convenience and necessity, licenses or easements.

Section 8. COUNTY PLANNING COMMISSION: CREATION AND MEMBERSHIP. The county governing body of any county may, by resolution or ordinance, create a county planning commission for the purpose of enforcing this Act. The county governing body shall appoint not less than five (5) nor more than eleven (11) members to the commission. The Probate Judge, chairman or similar presiding officer of the county governing body, shall be an ex officio member of said commission and shall vote only in case of a tie vote at a meeting wherein the entire membership is present and has voted. Members of the county governing body may serve as members of the planning commission notwithstanding the provisions of Title 12, Section 7, of the Code of Alabama or any other provisions limiting the offices such governing officials may hold. The term of the ex officio member shall correspond to his official tenure. The terms of each appointive members shall be four (4) years; provided, that, in the initial appointments to the commission a majority, but not exceeding three-fifths (3/5) of the total membership of the commission, shall be appointed for two (2) years and the remaining members for four (4) years; and provided further, that any members of the county governing body appointed to the planning commission for a term exceeding their official tenure as a member of the county governing body shall, notwithstanding, continue to be a member of the said commission until the expiration of their appointment as such unless otherwise removed as subsequently proof their appointment as such unless otherwise removed as subsequently provided in this section. Any vacancy in the membership of the planning commission shall be filled for the unexpired term in the same manner as the original appointment. Any appointed member of the commission shall be subject to removal by the county governing body for cause after written notice. All members of the county planning commission shall serve as such without compensation.

Section 9. ORGANIZATION, RULES, OFFICERS, STAFF AND FINANCES. The county planning commission shall adopt bylaws for the transaction of business and shall keep a record of its transactions, resolutions, findings, and determinations, which record shall be a public record. The county planning commission shall elect a chairman and a vice chairman from among the appointed members who shall serve for one (1) year with eligibility for re-election. The county planning commission shall appoint a secretary who may be an officer or an employee of the county governing body or a member of the county planning commission. The county planning commis-

sion shall meet at least once each month at the call of the chairman and at such other times as the chairman or county planning commission may determine. The county planning commission may appoint such employees and staff as it may deem necessary for its work. In the performance of its duties, the county planning commission may cooperate with, contract with, or accept funds from federal, state, or local public or semi-public agencies or private individuals or corporations, may expend such funds, and may carry out such cooperative undertakings and contracts. It may make expenditures for the purchase of required equipment and supplies. The expenditures of the county planning commission, exclusive of gifts, grants or contract receipts, shall be within the amounts appropriated for the purpose by the county governing body.

Section 10. COUNTY PLANNING COMMISSION: POWERS AND DUTIES. It shall be the function and duty of the county planning commission to make and maintain comprehensive surveys and studies of existing conditions and probable future developments in the flood-prone area of the county and to prepare comprehensive plans for physical, social and economic growth as will best promote the public health, safety, morals, convenience, prosperity, or the general welfare as well as efficiency and economy in the development of the flood-prone area of the county. The county planning commission shall have the authority to:

(a) Promote public interest and understanding of the economic and social necessity for long term, coordinated county planning;

(b) Confer and cooperate with the federal, state, municipal, and other county and regional authorities regarding matters pertaining to, or affecting the planning or development of said county, or vice versa, for the purpose of assuring proper coordination of county development with that of other political subdivisions.

(c) Prepare and recommend for adoption to the appropriate county governing body or authorities a zoning ordinance and map for the flood-prone area of the county.

(d) Prepare and recommend for adoption to the appropriate county governing body or authorities regulations for the subdivision of land within the flood-prone areas of the county jurisdiction, and to administer the regulations that they may be adopted.

Upon request of the county planning commission, the county governing body may from time to time, for the purpose of special surveys under the direction of the county planning commission, assign to the county planning commission members of the staff or the personnel of any county administrative department, bureau or agency, or may direct any such department, bureau or agency, to make special surveys or studies for the county planning commission. All public officials, departments and agencies may upon request furnish the county planning commission, within a reasonable time, with such available information as it may require for its work. The county planning commission, its members, officers, and employees, in the performance of their functions, may enter upon any land and make necessary examinations and surveys. In general, the commission shall have such powers as may be appropriate to enable it to fulfill its functions and duties.

Section 11. SUBDIVISION REGULATIONS: AUTHORIZATION. The county governing body of any county is hereby authorized to enact an

ordiance regulating the platting and recording of any subdivision of land, as defined by this act, lying within the flood-prone area of the county. The county planning commission shall have the authority to prepare and submit to the county governing body for its consideration and adoption, regulations governing the subdivision of land within its jurisdiction. Before the county governing body may adopt subdivision regulations or any amendment thereto under the provisions of this act, the said county governing body shall hold a public hearing on the proposed regulations. A notice of said public hearing shall be given once a week for two (2) consecutive weeks in a newspaper of general circulation in the county and a copy of the proposed subdivision regulations shall be made available to any interested person before said public hearing. A copy of the subdivision regulations as adopted shall be certified to the office of the Judge of Probate.

Section 12. SUBDIVISION REGULATIONS: PLANNING COMMISSION AS PLATTING AUTHORITY. Whenever subdivision regulations have been adopted by the county governing body as provided herein, then no plat of a subdivision that lies within the flood-prone area of the county shall be filed or recorded in the office of the Judge of Probate of the county until it shall have been submitted to and approved by the county planning commission and such approval entered in writing on the plat by the chairman and secretary of the county planning commission.

Section 13. SUBDIVISION REGULATIONS: PROVISIONS OF REGULATIONS. In exercising the powers granted to it by this act, the county planning commission shall prepare and recommend to the county governing body for adoption regulations governing the subdivision of land within the flood-prone area of the county. Such regulations may provide for the harmonious development of the flood-prone area of the county; for the coordination of streets within subdivisions with other existing or planned streets; for the size of blocks and lots; for the dedication of reservation of land for streets, school sites, and recreation areas and of easements for utilities and other public services and facilities; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, prosperity, or general welfare.

Such regulations may include requirements as to the extent to which and the manner in which streets shall be graded, surfaced, and improved, and water, sewers, septic tanks, as required by state health regulations, and other utility mains, piping, connections, or other facilities shall be installed as a condition precedent to the approval of the plat. Such regulations may provide that, in lieu of the completion of such work and installations previous to the final approval of a plat, the county governing body of the county may accept a bond, in any amount and surety and conditions satisfactory to it, providing for and securing to the county the actual construction and installations of such improvements and utilities within a period specified by the county planning commission and expressed in the bond; and the county is hereby granted the power to enforce such bonds by all appropriate legal and equitable remedies.

For the purpose of this act, "subdivision" means the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, for sale or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Section 14. PROCEDURE FOR APPROVING SUBDIVISION PLAT. The county planning commission shall act to approve or disapprove a subdivision plat within thirty (30) days after its submission; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the county planning commission on demand; provided, however, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period. The grounds for disapproval of any plat shall be stated upon the records of the county planning commission. Any plat submitted to the county planning commission shall contain the name and address of a person to whom notice of a hearing shall be sent; and no plat shall be acted on by the commission without a public hearing thereon. Notice shall be sent to the said address by registered mail of the time and place of such hearing not less than five (5) days before the date fixed therefor. Similar notice shall be mailed to the owners of land immediately adjoining the platted land, as their names appear upon the plats in the county tax assessor's office or on the tax records of the county. Approval of a plat shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown upon the plat.

Section 15. PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISIONS. Whoever, being the owner or agent of the owner of any land located within a subdivision within the flood-prone areas, transfers or sells or agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision before such plat has been approved by the county planning commission and recorded or filed in the office of the Judge of Probate, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided by law; and the description of such lot or parcel by metes and bounds in the instrument of transfer or conveyance or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or remedies herein provided. The county governing body may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

Section 16. ZONING: GRANT OF POWER. For the purpose of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the state and counties, any county governing body is hereby empowered to divide the portion of the county within the flood-prone area of the county into districts of such number, shape and area as may be found best suited to carry out the purposes of this act, and to provide within such districts for standards relating to the location, bulk, height, minimum elevation, number of stories, and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts, and other open spaces, the density and distribution of population, the uses of buildings, structures, and of land for trade, residence, recreation, agriculture, forestry, conservation, water supply, sanitation, floodways, public activities, and other purposes. Such provision shall be made in accordance with a comprehensive plan of the flood-prone area and shall be designed to lessen congestion in the streets and highways; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water supply, sewerage, schools, parks, and other public requirements. Such provision shall be made with reasonable consideration, among other things, of the character of the land and district and its peculiar suitability for particular uses

and with a view of promoting desirable living conditions, sustaining the stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings, and encouraging the most appropriate use of land and of buildings and structures throughout the flood-prone area of the county.

Section 17. TERRITORY WHICH MAY BE ZONED. For the purpose of providing for the division of the territory into districts, consonant with the conditions provided in this section, the county planning commission may make and certify to the county governing body a single zoning plan for all the territory of the area which lies within the jurisdiction of the county planning commission or may make and certify separate and successive zoning plans for parts of the flood-prone area for which tenhnical information is available or which for other reasons it deems to have appropriate territorial unity for a zoning plan; and correspondingly any zoning ordinance or resolution enacted by the county governing body may cover and include the whole territory lying within its jurisdiction or such territory as the commission deems to be appropriate territorial unit for a zoning plan; provided, however, no resolution governing more or less than the entire area be enacted or put into effect until it is first submitted to the county planning commission for additional review and comment.

Section 18. ZONING ORDINANCE: PREPARATION, ADOPTION AND PUBLIC HEARINGS. The planning commission shall have the duty of preparing a zoning plan, including both the written provisions of the ordinance and a map or maps showing the district boundaries. The commission may hold such public hearings as it deems necessary concerning the zoning ordinance. It shall certify the zoning ordinance and map to the county governing body.

On receipt of a zoning ordinance and map from the county planning commission, the county governing body shall hold a public hearing thereon, after which it may adopt the zoning ordinance and map as recommended, adopt it with modifications, or reject it.

The zoning ordinance, including the map or maps, may from time to time be amended, supplemented, changed, modified, or repealed. No amendment shall become effective unless it first be submitted to the county planning commission for its recommendations; failure of the county planning commission to make recommendations for a period of thirty (30) days after the amendment has been referred to it shall constitute a favorable recommendation. No amendment may be adopted until after a public hearing thereon as prescribed above.

A notice of any public hearing required herein shall be given once a week for two (2) consecutive weeks in a newspaper published in the county, or, if there be no newspaper published in the county, by posting such notice at four (4) public places in the county, said notice to be published the first time or posted not less than fifteen (15 days prior to the date fixed for said hearing. Said notice of public hearing shall include:

(a) Date of hearing;

(b) Location of hearing;

(c) Location where proposed amendment may be reviewed by the public;

(d) Time of public hearing.

Section 19. COUNTY BOARD OF ADJUSTMENT. In availing itself of the powers conferred by this article, the county governing body shall provide for the appointment of a board of adjustment and may provide that the said board of adjustment shall in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the zoning ordinance or regulations in harmony with its general purposes and interests and in accordance with general or specific rules adopted pursuant to this article.

The board of adjustment shall consist of five (5) members who shall be appointed from the residents of the county by the county governing body to serve for a term of three (3) years; provided that in establishing the board of adjustment, the county governing body may designate the terms of the members first appointed on such basis that the term of one (1) member will expire each year thereafter. Such members shall be removable for cause by the county governing body upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member by interim appointees designated by the county governing body. The board shall select its chairman and adopt rules in accordance with the provisions of any ordiance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records or examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. Appeals to the board of adjustment may be taken by any person aggrieved or by any county official or administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and with the board of adjustment. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall have the following powers:

(a) to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative body or official in the enforcement of this article or of any ordinance adopted pursuant thereto;

(b) to hear and decide on requests for special exceptions to the term or provisions of the ordinance upon which such board is required to pass; and

(c) to authorize upon appeal in special cases such variance from the yard, open space, bulk and height requirements of the ordinance as will not be contrary to the public interest, where, owing to special conditions of the building site or land, a literal enforcement of the provisions of the ordinance

will result in unnecessary hardship, all in order that the spirit of the ordinance shall be observed and substantial justice done; provided, however, that nothing in this act shall authorize the board of adjustment to approve a use not permitted by the zoning ordinance for the district in which the building site is located.

In exercising the above-mentioned powers such board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make any such order, requirement, decision, or determination as ought to be made, and, to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance. The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called on by writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

Section 20. REMEDIES. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any subdivision is established, or land used in violation of this article or of any ordinance or other regulation made under the authority conferred hereby, the county attorney, or other appropriate administrative officer of the county in which the violation occurs may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or subdivision of the land or use of the land to restrain, correct, or abate such violation, or to prevent the occupancy of any such building, structure, subdivision of land or to prevent any illegal act, conduct, business, or misuse in or upon any premises regulated under the authority conferred by this article.

Section 21. APPEALS. Any party aggrieved by any final judgment or decision of a board of adjustment established pursuant to the provisions of this act may within fifteen (15) days thereafter appeal therefrom to the court having jurisdiction within the county wherein the affected property of the aggrieved party is located, by filing with such board a written notice of appeal specifying the judgment or decision from which appeal is taken. In case of such appeal such board shall cause a transcript of the proceedings in the cause to be certified to the court to which the appeal is taken and the cause in such court shall be tried de novo.

Section 22. CONFLICT WITH OTHER LAWS. Wherever the regulations made under authority of this act require a greater width or size of yards or open spaces, or require a lower height of buildings, or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in any other local statute or like ordinance or regulation, the provisions of the regulations made under the authority of this act shall govern herein. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, or other open space, or require a lower height of buildings, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by regulations made under authority of this article the provisions of such statute or local ordinance or regulation shall govern.

Section 23. Any person, firm, corporation or agency who in violation of this act, fails to obtain the permit required herein or who violates any provision of the building code or zoning ordinances or other regulation, ordinance, code, shall be guilty of a misdemeanor, and upon conviction may be fined not more than $500, or may be imprisoned in the county jail for not more than one year or may be both fined and imprisoned.

Section 24. This act shall not be construed to impair the right of eminent domain granted heretofore or hereafter by the laws of this state to utilities, whether public or private, or their right to design, locate, erect, construct, reconstruct, alter or maintain utility poles, towers, lines, conduits, pipes, or mains reasonably required in the public service, or their right to exercise authority conferred by statute, franchise, certificate of convenience and necessity, license, or easement.

Section 25. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 26. All laws or parts of laws which conflict with this act are repealed.

Section 27. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Robertson
Adams	Doss	King	St. John
Adwell	Downing	Kinsey	Slate
Baker	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Straiton
Brassell	Fite	May	Stubbs
Burgess	Flippo	Merrill	Taylor
Callahan	Gafford	Mims	Therrell
Carnes	Gloor	Naramore	Timmons
Carter	Goodwin	Nettles	Turner
Casey	Grainger	Owens	Waggoner
Chesnut	Gray (F)	Parker (H)	Waldrop
Collins	Grey (D)	Parker (T)	Wallace
Connell	Hardin	Perloff	Warren
Coshatt	Harris	Pruitt	Weeks
Cottingham	Headley	Reed (T)	Williams
Crawford	Hearn	Reid (R)	Wise
Cross	Hill	Reynolds	Wood
Crowe	Hobbie	Roberts	Wynot
Culver	Jackson		

—94

And the bill, H. 132, as thus amended:

To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the

county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Was again read at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Robertson
Adams	Doss	King	St. John
Adwell	Downing	Kinsey	Slate
Baker	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Straiton
Brassell	Fite	May	Stubbs
Burgess	Flippo	Merrill	Taylor
Callahan	Gafford	Mims	Therrell
Carnes	Gloor	Naramore	Timmons
Carter	Goodwin	Nettles	Turner
Casey	Grainger	Owens	Waggoner
Chesnut	Gray (F)	Parker (H)	Waldrop
Collins	Grey (D)	Parker (T)	Wallace
Connell	Hardin	Perloff	Warren
Coshatt	Harris	Pruitt	Weeks
Cottingham	Headley	Reed (T)	Williams
Crawford	Hearn	Reid (R)	Wise
Cross	Hill	Reynolds	Wood
Crowe	Hobbie	Roberts	Wynot
Culver	Jackson		—94

RESOLUTION

The following resolution was introduced:

By Messrs. Williams, Lyons, Slate and Burgess:

H. J. R. 100. CONGRATULATING OUR BELOVED GOVERNOR, GEORGE C. WALLACE, FOR HIS SELECTION AS ONE OF THE TEN MOST ADMIRED MEN IN THE WORLD TODAY

WHEREAS the Gallup Poll has published its list of the "ten most admired men in the world today"; and

WHEREAS this annual audit of the most admired men in the world today by the Gallup Poll is based upon samples designed to represent the views of the entire adult population, 18 years and older. Survey respondents being asked to give their choices, without being handed a list of names, and

WHEREAS our beloved Governor, George C. Wallace, has been selected by the American people as one of the ten most admired men in the world for the year 1971 according to this most recent Gallup Poll carried out on December 10–13; and

WHEREAS the people of Alabama rejoice in the knowledge that their

beloved Governor is held in high esteem by people of all walks of life in America today; and

WHEREAS his articulate, forthright and forceful presentation of his opinions on issues facing the American people today has established him as a leader among men in this great America; and

WHEREAS our beloved Governor earned this worthy achievement over a host of government and international officials including Senators Eugene McCarthy, J. William Fulbright, Barry Goldwater, Mike Mansfield, George McGovern, Strom Thurmond, Howard Baker and John Stennis; Representative Wilbur Mills; Governor Nelson Rockefeller; Secretaries John Connally and George Romney; New York Mayor John Lindsay, Chicago Mayor Richard Daley; General Maxwell Taylor and General William Westmoreland; and International Leaders: Israel's Moshe Dayan, Great Britain's Prince Philip, France's Georges Pompidou, Canada's Pierre Trudeau, West Germany's Willy Brandt; and

WHEREAS this legislative body and all of the people of Alabama note with great pride that this highly esteemed honor has been awarded to our beloved Governor and through him to the people of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our warmest congratulations to our beloved Governor George C. Wallace for being selected as one of the ten most admired men in the world for 1971.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to Governor Wallace and the members of his family.

On motion of Mr. Williams, the rules were suspended and the resolution, H. J. R. 100, was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Roberts
Adams	Dill	Jones (F)	Robertson
Adwell	Doss	King	St. John
Baker	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Erdreich	McCluskey	Stewart
Boutwell	Falkenburg	McCorquodale	Stokes
Brassell	Fite	McDonald	Straiton
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	May	Taylor
Carnes	Gloor	Meeks	Therrell
Carter	Goodwin	Merrill	Timmons
Casey	Grainger	Mims	Turner
Cauthen	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Wallace
Collins	Hardin	Parker (H)	Warren
Connell	Harris	Perloff	Weeks
Cottingham	Headley	Pruitt	Williams
Crawford	Hearn	Reed (T)	Wise
Cross	Hill	Reid (R)	Wood
Crowe	Hobbie	Reynolds	Wynot

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CO-SPONSORS ADDED

All members voting "Yea" on the resolution, H. J. R. 100, were added as co-sponsors.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 56. Proposing an amendment to Article XI, Section 217 of the Constitution of Alabama 1901 relative to ad valorem taxation; providing for the assessment of taxable property for ad valorem tax purposes according to a classification of property with respect to ad valorem taxes levied by the State, and providing alternate methods of assessment of taxable property with respect to ad valorem taxes levied by any taxing authority other than the State.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 90. Recommending that the Montgomery City-County Charity Clinic be named the "Lister Hill Health Center".

Also:

H. J. R. 91. Urging Congress to enact the Surface Transportation Act of 1971.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the

House Joint Resolutions, the title of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Gloor, the House recessed for fifteen minutes.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Smith (K):

H. J. R. 101. COMMENDING TROOPER LYNN A. WRIGHT FOR WINNING THE "TROOPER OF THE YEAR" AWARD FOR 1971

WHEREAS Trooper Lynn A. Wright who is stationed in Coosa County and resides in Goodwater, Alabama has earned the "Trooper of the Year" award for 1971 sponsored by the Alabama Petroleum Council; and

WHEREAS Trooper Wright was appointed a State Trooper on March 18, 1970 after prior service as a Police Officer with the city of Dadeville and as an unpaid State Trooper Auxiliary working in the Alexander City Post; and

WHEREAS this honor points out the willingness and determination with which he assumes and carries out his duties of promoting public safety, preventing crime, enforcing laws, patrolling all rural highways, aiding and assisting the motoring public and he is also noted for the effort he puts forth in preparing himself for future development in his work; and

WHEREAS on several occasions during the year, 1971, Trooper Wright effected several outstanding and courageous arrests. One being the apprehension of two young white males who had robbed an elderly lady in Elmore County while armed. While being faced by two armed subjects who had already committed a robbery and with one of them already pointing a rifle at him, Trooper Wright controlled his fear and effected the arrest of these subjects without bodily harm inflicted to either the officer or the robbery suspects. Trooper Wright also apprehended two subjects who had burglarized several summer homes on Lake Martin; aided immeasurably in the conviction of an armed bank robbery suspect in Coosa County and recaptured an escaped convict who had committed a vicious crime against an elderly nurse during the nighttime in Goodwater; and

WHEREAS all of this was done in addition to his normal routine duties, as he is always among the top Troopers in his post in removing the hazardous drivers from the highway, promoting safety in his assigned area. Trooper Wright strives to assist the motoring public whenever he finds anyone in distress; and he is well informed of our fine recreational areas in the State of Alabama and constantly points out these attractions to out of state tourists. Trooper Wright maintains a self-imposed code of actions and behavior that is always above reproach which reflect credit not only to himself but to his organization. "A man's honor is the best that is in him"; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREFORE CONCURRING, That it extends congratulations to a very deserving person, State Trooper Lynn A. Wright, for winning the "Trooper of the Year" award for 1971.

BE IT FURTHER RESOLVED, that congratulations also be extended to his wife, Elaine, and their two children and that copies of this resolution be transmitted to his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 101, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 130. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Casey, the House concurred in and adopted the Senate amendment to the bill, H. 130, said Senate amendment being as follows:

Amend H.B. 130 by deleting Section 2 thereof and inserting in lieu the following:

"Section 2. Upon its passage and approval by the Governor, this Act shall become effective as of January 19, 1971."

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	Reynolds
Adams	Downing	Lang	St. John
Barkett	Easters	Lutz	Smith (K)
Bassett	Flippo	McBride	Smith (P)
Benton	Goodwin	McCluskey	Snell
Bowers	Grainger	McDonald	Stewart
Brassell	Gray (F)	Mathews	Stokes
Carnes	Grey (D)	Meeks	Stubbs
Carter	Harris	Merrill	Therrell
Casey	Headley	Mims	Turner
Cauthen	Hill	Naramore	Turnham
Collins	Hobbie	Owens	Wallace
Connell	Jackson	Parker (T)	Warren
Crawford	Jones (F)	Perloff	Wood
Crowe	King	Reid (R)	—59

BILLS ON THIRD READING

And the bill:

H. 192. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county ttreasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 195. Relating to counties having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census, to authorize the county commission of such counties to appropriate an amount not to exceed $5,200 out of the general fund for the relief of Walter L. Nelson.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bowers	Collins	Culver
Adams	Brassell	Connell	Dill
Adwell	Burgess	Cottingham	Doss
Barkett	Carnes	Crawford	Downing
Bassett	Carter	Cross	Drake
Benton	Casey	Crowe	Easters

Edwards	Hobbie	Owens	Straiton
Ellis	Jackson	Parker (H)	Stubbs
Erdreich	Jones (F)	Parker (T)	Taylor
Falkenburg	King	Perloff	Therrell
Flippo	Kinsey	Pruitt	Timmons
Gloor	Lang	Reed (T)	Turner
Goodwin	Lutz	Reid (R)	Turnham
Grainger	McBride	Reynolds	Waggoner
Gray (F)	McCluskey	Roberts	Waldrop
Grey (D)	McCorquodale	Robertson	Wallace
Hale	McDonald	St. John	Warren
Hardin	May	Smith (K)	Williams
Harris	Meeks	Smith (P)	Wise
Headley	Merrill	Snell	Wood
Hearn	Mims	Stewart	Wynot
Hill	Naramore	Stokes	—87

And the bill:

H. 200. (With Substitute): Relating to counties having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to authorize payment of certain expenses of the judge of probate.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to authorize the county governing body to reimburse certain county officials for certain types of expenses; and to make provisions of this Act retroactive.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census.

Section 2. The county governing body of all counties to which this Act applies are hereby authorized to reimburse the probate judge, tax assessor, tax collector, circuit clerk, register in equity, chairman of the county commission, associate members of the county commission and the sheriff for the following type of expenses incurred in the performance of their official duties viz: (2) The cost of premiums on surety bonds of any clerical or secretarial help employed in their office who are required by law to be bonded. (b) Membership dues in any statewide or national organization pertaining to the public office that they hold. (c) The expenses of attending any meetings of such organizations. (d) Actual expenses of travel incurred outside the county while attending to official county business.

Section 3. The provisions of this Act shall be retroactive to January 1, 1972.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill, H. 200, as thus amended:

Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to authorize the county governing body to reimburse certain county officials for certain types of expenses; and to make provisions of this Act retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Doss	Hobbie	Pruitt
Adams	Downing	Jackson	Reed (T)
Adwell	Drake	Jones (F)	Reid (R)
Barkett	Easters	King	Reynolds
Bassett	Edwards	Kinsey	Roberts
Benton	Ellis	Lang	Robertson
Bowers	Erdreich	Lutz	St. John
Brassell	Falkenburg	McBride	Smith (K)
Burgess	Flippo	McCluskey	Smith (P)
Carnes	Gloor	McCorquodale	Snell
Carter	Goodwin	McDonald	Stewart
Casey	Grainger	May	Stokes
Collins	Gray (F)	Meeks	Straiton
Connell	Grey (D)	Merrill	Stubbs
Cottingham	Hale	Mims	Taylor
Crawford	Hardin	Naramore	Therrell
Cross	Harris	Owens	Timmons
Crowe	Headley	Parker (H)	Turner
Culver	Hearn	Parker (T)	Turnham
Dill	Hill	Perloff	Waggoner

Waldrop	Warren	Wise	Wynot	
Wallace	Williams	Wood		—87

And the bill:

H. 197. Relating to counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census; permitting the county governing body to employ an additional deputy sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John	
Adams	Easters	Lang	Smith (K)	
Adwell	Edwards	Lutz	Smith (P)	
Barkett	Ellis	McBride	Snell	
Bassett	Erdreich	McCluskey	Stewart	
Benton	Falkenburg	McCorquodale	Stokes	
Bowers	Flippo	McDonald	Straiton	
Brassell	Gloor	May	Stubbs	
Burgess	Goodwin	Meeks	Taylor	
Carnes	Grainger	Merrill	Therrell	
Carter	Gray (F)	Mims	Timmons	
Casey	Grey (D)	Naramore	Turner	
Collins	Hale	Owens	Turnham	
Connell	Hardin	Parker (H)	Waggoner	
Cottingham	Harris	Parker (T)	Waldrop	
Crawford	Headley	Perloff	Wallace	
Cross	Hearn	Pruitt	Warren	
Crowe	Hill	Reed (T)	Williams	
Culver	Hobbie	Reid (R)	Wise	
Dill	Jackson	Reynolds	Wood	
Doss	Jones (F)	Roberts	Wynot	
Downing	King	Robertson		—87

And the bill:

H. 210. To amend Sections 1 and 2 of Act No. 175, H. 460, Regular Session 1965, (Acts 1965, p. 246), which provides for an increase in the compensation of the coroner and deputy coroner of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Edwards
Adams	Carnes	Crowe	Ellis
Adwell	Carter	Culver	Erdreich
Barkett	Casey	Dill	Falkenburg
Bassett	Collins	Doss	Flippo
Benton	Connell	Downing	Gloor
Bowers	Cottingham	Drake	Goodwin
Brassell	Crawford	Easters	Grainger

Gray (F)	Lutz	Pruitt	Taylor
Grey (D)	McBride	Reed (T)	Therrell
Hale	McCluskey	Reid (R)	Timmons
Hardin	McCorquodale	Reynolds	Turner
Harris	McDonald	Roberts	Turnham
Headley	May	Robertson	Waggoner
Hearn	Meeks	St. John	Waldrop
Hill	Merrill	Smith (K)	Wallace
Hobbie	Mims	Smith (P)	Warren
Jackson	Naramore	Snell	Williams
Jones (F)	Owens	Stewart	Wise
King	Parker (H)	Stokes	Wood
Kinsey	Parker (T)	Straiton	Wynot
Lang	Perloff	Stubbs	—87

And the bill:

H. 211. To amend Act No. 583, H. 1479, Regular Session 1971, entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census," amending the title and Section 2 of such Act so as to delete from the enumeration of the officers entitled to the expense allowance thereby provided the judge of the county court and to provide for the payment of travel expenses outside the county on county business in addition to the prescribed expense allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 217. To alter and re-arrange the boundary lines of the town of

Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 219. To amend Act No. 404, H. 221, Special Session, 1966 (Acts of 1966, p. 548) entitled "An Act To abolish the office of county comptroller of Walker County and to establish in lieu thereof the office of county treasurer of Walker County; to provide for the election of the county treasurer and to prescribe his powers, duties, term and compensation," so as to require and regulate the investment of certain surplus county funds and prescribe the use of interest which accrues on such investment; and to place certain duties relative thereto on the county treasurer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Carter	Doss	Goodwin
Adams	Casey	Downing	Grainger
Adwell	Collins	Drake	Gray (F)
Barkett	Connell	Easters	Grey (D)
Bassett	Cottingham	Edwards	Hale
Benton	Crawford	Ellis	Hardin
Bowers	Cross	Erdreich	Harris
Brassell	Crowe	Falkenburg	Headley
Burgess	Culver	Flippo	Hearn
Carnes	Dill	Gloor	Hill

Hobbie	Meeks	Roberts	Timmons
Jackson	Merrill	Robertson	Turner
Jones (F)	Mims	St. John	Turnham
King	Naramore	Smith (K)	Waggoner
Kinsey	Owens	Smith (P)	Waldrop
Lang	Parker (H)	Snell	Wallace
Lutz	Parker (T)	Stewart	Warren
McBride	Perloff	Stokes	Williams
McCluskey	Pruitt	Straiton	Wise
McCorquodale	Reed (T)	Stubbs	Wood
McDonald	Reid (R)	Taylor	Wynot
May	Reynolds	Therrell	—87

And the bill:

H. 220. Relating to Lamar County, providing further for the election of the members of the governing body of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 221. To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County, by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

Was taken up.

Mr. Cross offered the following amendment.

In Section 2(b) delete the figures, $1,000," and insert in lieu thereof the following:

$500

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill, H. 221, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 228. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

H. 229. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Flippo	Jones (F)
Adams	Crawford	Gloor	King
Adwell	Cross	Goodwin	Kinsey
Barkett	Crowe	Grainger	Lang
Bassett	Culver	Gray (F)	Lutz
Benton	Dill	Grey (D)	McBride
Bowers	Doss	Hale	McCluskey
Brassell	Downing	Hardin	McCorquodale
Burgess	Drake	Harris	McDonald
Carnes	Easters	Headley	May
Carter	Edwards	Hearn	Meeks
Casey	Ellis	Hill	Merrill
Collins	Erdreich	Hobbie	Mims
Connell	Falkenburg	Jackson	Naramore

Owens	Roberts	Straiton	Waldrop
Parker (H)	Robertson	Stubbs	Wallace
Parker (T)	St. John	Taylor	Warren
Perloff	Smith (K)	Therrell	Williams
Pruitt	Smith (P)	Timmons	Wise
Reed (T)	Snell	Turner	Wood
Reid (R)	Stewart	Turnham	Wynot
Reynolds	Stokes	Waggoner	—87

And the bill:

S. 52. To amend further Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties having a population of not less than 13,000 nor more than 13,250.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

And the bill:

S. 95. Relating to counties having a population of not less than 22,250 nor more than 23,000, according to the last or any subsequent federal decennial census; providing an expense allowance for the probate judge of such county.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Barkett	Bowers	Carnes
Adams	Bassett	Brassell	Carter
Adwell	Benton	Burgess	Casey

Collins	Grainger	McDonald	Snell
Connell	Gray (F)	May	Stewart
Cottingham	Grey (D)	Meeks	Stokes
Crawford	Hale	Merrill	Straiton
Cross	Hardin	Mims	Stubbs
Crowe	Harris	Naramore	Taylor
Culver	Headley	Owens	Therrell
Dill	Hearn	Parker (H)	Timmons
Doss	Hill	Parker (T)	Turner
Downing	Hobbie	Perloff	Turnham
Drake	Jackson	Pruitt	Waggoner
Easters	Jones (F)	Reed (T)	Waldrop
Edwards	King	Reid (R)	Wallace
Ellis	Kinsey	Reynolds	Warren
Erdreich	Lang	Roberts	Williams
Falkenburg	Lutz	Robertson	Wise
Flippo	McBride	St. John	Wood
Gloor	McCluskey	Smith (K)	Wynot
Goodwin	McCorquodale	Smith (P)	—87

And the bill:

H. 215. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Bowers	Flippo	McDonald	Straiton
Brassell	Gloor	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Grey (D)	Naramore	Turner
Collins	Hale	Owens	Turnham
Connell	Hardin	Parker (H)	Waggoner
Cottingham	Harris	Parker (T)	Waldrop
Crawford	Headley	Perloff	Wallace
Cross	Hearn	Pruitt	Warren
Crowe	Hill	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	Jones (F)	Roberts	Wynot
Downing	King	Robertson	—87

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 57. To amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 59. To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 132. To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

UNANIMOUS CONSENT

Unanimous consent was granted for the Journal to show Mr. Hale voting "Yea" on all local bills.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 92. To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Dominick, Bailes and King.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gafford, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 92.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Gafford, Meeks and Parker (H).

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 31. Mourning the death of Representative George Andrews.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 32. Naming the county highway 63 in Marshall County The "Cathedral Caverns Highway".

Also:

S. J. R. 34. Requesting that the Corps of Army Engineers name the Columbia Lock and Dam in Houston County for George Andrews.

Also:

S. J. R. 35. Naming the county highway 63 in Marshall County The "Cathedral Caverns Highway".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 58

We, the committee of conference appointed to reconcile the disagreement of the two houses concerning the House and Senate amendments to H. B. 58, have met in conference, considered the matter in conference, and have agreed to the following report:

1. We recommend that the House and Senate recede from their amendments to the bill;

2. We recommend that the original bill as introduced in the House of Representatives on November 30, 1971, be passed by both houses; and the original bill is attached.

CONFEREES ON THE PART OF THE HOUSE

Tom Gloor
J. Earl Jones

CONFEREES ON THE PART OF THE SENATE

Tom King
Eddie Hubert Gilmore

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Gloor, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 58, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson	Slate
Adams	Easters	King	Smith (K)
Bassett	Edwards	Kinsey	Smith (P)
Benton	Ellis	Lang	Snell
Boles	Erdreich	Lutz	Stewart
Boutwell	Flippo	McBride	Stokes
Bowers	Gafford	McCluskey	Stubbs
Brassell	Gloor	McCorquodale	Therrell
Callahan	Goodwin	McDonald	Timmons
Carnes	Grainger	May	Turner
Cauthen	Gray (F)	Merrill	Turnham
Collins	Grey (D)	Mims	Waggoner
Connell	Hale	Owens	Wallace
Coshatt	Hardin	Perloff	Warren
Cottingham	Harris	Reid (R)	Weeks
Crawford	Headley	Reynolds	Williams
Dill	Hill	Robertson	Wise
Doss	Hobbie	St. John	Wynot
Downing			—73

And the bill:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to fifty cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	St. John
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Bassett	Ellis	McBride	Snell
Benton	Erdreich	McCluskey	Stewart
Boutwell	Flippo	McCorquodale	Stokes
Bowers	Gloor	McDonald	Stubbs
Brassell	Goodwin	Manley	Therrell
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Cauthen	Grey (D)	Mims	Turnham
Collins	Hale	Naramore	Waggoner
Connell	Hardin	Owens	Waldrop
Coshatt	Harris	Parker (H)	Wallace
Cottingham	Headley	Perloff	Warren
Crawford	Hill	Pruitt	Weeks
Dill	Hobbie	Reid (R)	Williams
Doss	Jackson	Reynolds	Wise
Downing	King	Robertson	Wynot

—76

BILLS ON THIRD READING RESUMED

And the bill:

H. 82. (With Amendment): To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Having been postponed from the Sixteenth Legislative Day, was taken up.

H. 82 INDEFINITELY POSTPONED

On motion of Mr. Stubbs, the bill, H. 82 with pending amendment, was indefinitely postponed.

And the bill:

H. 67. Proposing an amendment to the Constitution of Alabama, and to order that a special election by the qualified voters of the State upon the proposed amendment be held on the first Tuesday following the expiration of three months after the final adjournment of this session of the Legislature.

Having been postponed from the Sixteenth Legislative Day, was taken up.

H. 67 INDEFINITELY POSTPONED

On motion of Mr. McCorquodale, the bill, H. 67, was indefinitely postponed.

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Having been postponed from the Sixteenth Legislative Day, was taken up.

H. 179 POSTPONED

On motion of Mr. McDonald, the bill, H. 179, was postponed to the Eighteenth Legislative Day.

And the bill:

H. 230. (With Substitute): To amend Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agri-

culture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1," is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, when used in this act, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

" 'Gasoline' means gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, that are commonly used in internal combustion engines and are there ignited by electric spark.

" 'Diesel fuel' means those products of petroleum that are commonly used in internal combustion engines and are there ignited by pressure and not by electric spark and that are of the types commonly referred to and known commercially as diesel fuel No. 1 and diesel fuel No. 2.

" 'Kerosene' means that certain product of petroleum commonly referred to as kerosene and commonly used for illuminating, heating or cooking purposes, and other like products of petroleum used for the same purposes for which kerosene is commonly used, regardless of the actual purpose or purposes for which the said kerosene or other product may actually be used.

" 'Lubricating oil' means those products of petroleum that are commonly used in lubricating or oiling engines, and any devices or substitutes for such products of petroleum.

" 'Petroleum products' means gasoline, diesel fuel, kerosene and lubricating oil.

" 'Commissioner' means the officer known as the Commissioner of Agriculture and Industries provided for in Article V of the Constitution of Alabama of 1901 and in Article 2 of Title 2 of the Code of Alabama of 1940, as amended.

" 'Department' means the Department of Agriculture and Industries provided for in Chapter 1 of Title 2 of the Code of Alabama of 1940, as amended.

" 'Board' means the Board of Agriculture and Industries provided for in Article 3 of Chapter 1 of Title 2 of the Code of Alabama of 1940, as amended.

" 'State' means the State of Alabama.

" 'Person' means any natural person, firm, partnership, association, corporation, receiver, trust, estate, or other entity, or any other group or combination thereof, acting as a unit.

" 'Brand' means the trade name or other designation under which a particular petroleum product is sold, offered for sale, or otherwise identified.

" 'Person First Selling' means any person as herein defined who first sells petroleum products in Alabama on which inspection fees are imposed by this act; unless such first sale is made to a reseller who elects in writing to qualify as a first seller by complying with the following provisions:

"(a) By making application which shall be approved by the commissioner of the Department of Agriculture and Industries, the applicant shall file with the Department of Agriculture and Industries a bond in an approximate amount equal to the average monthly inspection fee estimated by the commissioner of the Department of Agriculture and Industries which will be due by the applicant, provided that in no case shall the bond be less than two thousand five hundred dollars or more than five thousand dollars. The bond shall be in such form and amount as may be approved by the commissioner of the Department of Agriculture and Industries, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the State of Alabama, and be conditioned upon the prompt filing of true reports, and the payment by the applicant to the Department of Agriculture and Industries of any and all inspection fees accrued or accruing on the sale, distribution or withdrawal from storage of petroleum products which may now or may hereafter be levied or imposed by the State of Alabama, together with all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act. In lieu of a guaranty bond, the applicant may post Alabama State coupon bonds, or United States government coupon bonds, under such terms, rules and regulations as may be approved by the commissioner of the Department of Agriculture and Industries.

"(b) In the event that liability upon any bond filed under the provisions of this act shall be discharged or reduced, whether by judgment rendered, payment made, or otherwise, or if in the opinion of the commissioner of the

Department of Agriculture and Industries any surety on the bond theretofore given shall become unsatisfactory or unacceptable, then the commissioner of the Department of Agriculture and Industries may require the filing of a new or additional bond conditioned as hereinabove provided, and in the event of the failure of any reseller, within ten days after written notice to it by the commissioner of the Department of Agriculture and Industries to file such new or additional bond, the commissioner of the Department of Agriculture and Industries shall cancel the license issued to such person.

"(c) If upon a hearing had by the commissioner of the Department of Agriculture and Industries after five days' written notice to any reseller the commissioner of the Department of Agriculture and Industries shall decide that the amount of any existing bond filed by any reseller is insufficient, the commissioner of the Department of Agriculture and Industries may order such reseller to file, within ten days after written notice by the commissioner of the Department of Agriculture and Industries to such reseller, a new or additional bond in such amount as the commissioner of the Department of Agriculture and Industries upon said hearing may find reasonably necessary to insure payment of all amounts due or to become due to the State of Alabama, conditioned as hereinabove provided, and if such new or additional bond is not filed within ten days after such notice from the commissioner of the Department of Agriculture and Industries, the commissioner of the Department of Agriculture and Industries may cancel the license already issued to such reseller.

"(d) The commissioner of the Department of Agriculture and Industries may reduce the amount of any bond upon written application of any reseller if satisfied that a bond in a reduced amount will insure payment of all amounts due or to become due to the State of Alabama. The total amount of bond or bonds to be given by any reseller under this section shall in no event be less than two thousand five hundred dollars, nor more than five thousand dollars. Provided however, that the commissioner of the Department of Agriculture and Industries may require such additional bond as may be deemed necessary to insure the prompt payment of all inspection fees on the sale or withdrawal of petroleum products, due or to become due the State by the reseller, but no demand for additional bond above five thousand dollars shall be made without first determining from a study of the reseller's financial statement which shall be supplied upon request of the commissioner of the Department of Agriculture and Industries, that such additional bond is necessary.

"(e) Any surety on any bond furnished by any reseller, as above provided, shall be released and discharged from any and all liability to the State of Alabama accruing on such bond after the expiration of sixty days from the date upon which surety shall have filed with the Department of Agriculture and Industries written request to be released and discharged, provided, however, that such request shall not operate to relieve, release or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said sixty day period. The commissioner of the Department of Agriculture and Industries shall promptly upon receipt of notice of such request notify the reseller who furnished such bond of the request of the surety on said bond, and unless such reseller shall, on or before the expiration of such sixty day period, file with the Department of Agriculture and Industries a new bond in the amount and form hereinbefore in this section provided, the director of the Department of Agriculture and Industries shall forthwith cancel the license of said reseller.

"The definitions hereinabove set forth shall be deemed applicable whether the words defined are herein used in the singular or plural.

"Any pronoun or pronouns used herein shall be deemed to include both singular and plural and to cover all genders."

Section 2. The provisions of this act shall become effective on May 1, 1972.

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Lang	Slate
Adams	Easters	Lutz	Smith (K)
Adwell	Edwards	McBride	Snell
Barkett	Ellis	McCorquodale	Stewart
Bassett	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Brassell	Flippo	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Collins	Grey (D)	Mims	Waggoner
Connell	Hale	Owens	Wallace
Coshatt	Harris	Parker (H)	Warren
Cottingham	Headley	Perloff	Weeks
Crawford	Hill	Pruitt	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Jackson	Reynolds	Wood
Doss	King	Robertson	Wynot
Downing	Kinsey	St. John	—75

Mr. Lyons offered the following amendment to the bill, H. 230, as amended:

A. Amend Section 1 of House Bill 230 by striking subsection (a) of said Section 1 and inserting in lieu thereof the following:

"(a) By making application which shall be approved by the commissioner of the Department of Agriculture and Industries, the reseller shall file with the Department of Agriculture and Industries a bond in an approximate amount equal to the average monthly inspection fee estimated by the commissioner of the Department of Agriculture and Industries which will be due by the reseller, provided that in no case shall the bond be less than two thousand five hundred dollars or more than five thousand dollars. The bond shall be in such form and amount as may be approved by the commissioner of the Department ofAgriculture and Industries, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the State of Alabama, and be conditioned upon the prompt filing of true reports, and the payment by the reseller to the Department of Agriculture and Industries of any and all inspection fees which are imposed by this act with respect to any petroleum products and which, but for the election made pursuant to this section, would be payable by the person from whom said petroleum products are purchased by the reseller, together with all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act. In lieu of a guaranty bond, the reseller may post Alabama State coupon bonds, or United States government coupon bonds, under such terms,

rules and regulations as may be approved by the commissioner of the Department of Agriculture and Industries."

B. Amend Section 1 of House Bill 230 by striking therefrom in subsection (b) the word "person" which is the last word of such subsection (b) and substitute in lieu thereof the word "reseller".

C. Amend Section 1 of House Bill 230 by striking from subsection (e) the word "director" wherever it appears in such subsection and substitute in lieu thereof the word "commissioner".

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Robertson
Adams	Drake	Lang	St. John
Adwell	Easters	Lutz	Slate
Barkett	Edwards	McBride	Smith (K)
Bassett	Ellis	McCorquodale	Snell
Benton	Falkenburg	McDonald	Stewart
Boutwell	Flippo	Manley	Stokes
Bowers	Gafford	Mathews	Stubbs
Brassell	Gloor	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turnham
Carnes	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	Owens	Wallace
Collins	Hale	Parker (H)	Warren
Connell	Harris	Parker (T)	Weeks
Coshatt	Headley	Perloff	Williams
Crawford	Hill	Pruitt	Wise
Culver	Hobbie	Reid (R)	Wood
Dill	Jackson	Reynolds	Wynot
Doss	King		

—78

And the bill, H. 230, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Grainger	Mathews
Adams	Crawford	Gray (F)	Meeks
Adwell	Cross	Grey (D)	Merrill
Barkett	Culver	Hale	Mims
Bassett	Dill	Harris	Naramore
Benton	Doss	Headley	Owens
Boutwell	Downing	Hill	Parker (T)
Bowers	Drake	Hobbie	Perloff
Brassell	Easters	Jackson	Pruitt
Burgess	Edwards	King	Reid (R)
Callahan	Ellis	Kinsey	Reynolds
Carnes	Erdreich	Lang	Robertson
Carter	Falkenburg	Lutz	St. John
Casey	Flippo	McBride	Slate
Collins	Gafford	McCorquodale	Smith (K)
Connell	Gloor	McDonald	Snell
Coshatt	Goodwin	Manley	Stewart

Stokes	Timmons	Waldrop	Williams
Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Weeks	Wynot

—84

And the bill:

H. 131. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Drake	McBride	St. John
Adams	Easters	McCluskey	Smith (K)
Adwell	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	Manley	Stewart
Boutwell	Flippo	Mathews	Stokes
Brassell	Goodwin	May	Stubbs
Burgess	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Timmons
Carter	Grey (D)	Mims	Turner
Casey	Hale	Naramore	Turnham
Collins	Harris	Owens	Waggoner
Connell	Headley	Parker (T)	Waldrop
Coshatt	Hill	Perloff	Wallace
Cottingham	Hobbie	Pruitt	Warren
Crawford	King	Reed (T)	Williams
Cross	Kinsey	Reid (R)	Wise
Dill	Lang	Reynolds	Wood
Doss	Lutz	Robertson	Wynot
Downing			

—77

Nay: Mr. Slate —1

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the resolution, H. J. R. 92, and ordered same returned to the House with a favorable report.

On motion of Mr. Drake, the resolution, H. J. R. 92, was adopted.

Yeas 68; Nays 11.

Yeas:

Mr. Speaker	Bowers	Collins	Dill
Adams	Brassell	Connell	Downing
Adwell	Burgess	Coshatt	Drake
Barkett	Carnes	Cottingham	Easters
Bassett	Carter	Crawford	Edwards
Benton	Casey	Cross	Falkenburg

Flippo	Lang	Perloff	Stewart
Gloor	Lutz	Pruitt	Stokes
Goodwin	McCluskey	Reed (T)	Stubbs
Grainger	McCorquodale	Reid (R)	Therrell
Grey (D)	McDonald	Reynolds	Turner
Hale	Mathews	Robertson	Turnham
Headley	May	St. John	Wallace
Hobbie	Merrill	Slate	Warren
Jones (F)	Mims	Smith (K)	Williams
King	Naramore	Smith (P)	Wise
Kinsey	Owens	Snell	Wood

—68

Nays:

Messrs.:	Harris	Manley	Timmons
Boutwell	Hill	Meeks	Waggoner
Ellis	McBride	Taylor	Weeks

—11

BILLS ON THIRD READING RESUMED

And the bill:

S. 9. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Slate
Adams	Drake	Lang	Smith (K)
Adwell	Easters	Lutz	Smith (P)
Barkett	Edwards	McBride	Snell
Bassett	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Flippo	Meeks	Taylor
Callahan	Gafford	Mims	Therrell
Carnes	Goodwin	Naramore	Timmons
Carter	Grainger	Owens	Turnham
Casey	Gray (F)	Parker (H)	Waldrop
Collins	Grey (D)	Parker (T)	Wallace
Connell	Hale	Perloff	Warren
Coshatt	Harris	Pruitt	Weeks
Crawford	Headley	Reed (T)	Williams
Cross	Hill	Reid (R)	Wise
Dill	Jones (F)	Reynolds	Wood
Doss	King	St. John	Wynot

—76

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 130. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

S. 8. Validating contracts entered into on Sunday either before or after the effective date of the Act, and repealing Section 21, of Title 9, Alabama Code of 1940.

Was read a third time at length and passed.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Doss	Lang	Reynolds
Adams	Downing	Lutz	St. John
Adwell	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Bassett	Erdreich	McDonald	Snell
Boutwell	Falkenburg	Manley	Stewart
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Gray (F)	Naramore	Turner
Casey	Grey (D)	Owens	Turnham
Collins	Hale	Parker (H)	Waldrop
Connell	Harris	Parker (T)	Wallace
Coshatt	Headley	Perloff	Warren
Crawford	Hill	Pruitt	Weeks
Cross	Jackson	Reed (T)	Wise
Crowe	Jones (F)	Reid (R)	Wynot
Dill	King		—74

Nays: Messrs.: Ellis and Slate —2

And the bill:

S. 12. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Was read a third time at length and passed.

Yeas 69; Nays 5.

Yeas:

Mr. Speaker	Doss	Lang	Robertson
Adams	Downing	Lutz	St. John
Adwell	Drake	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Boutwell	Ellis	McDonald	Snell
Brassell	Erdreich	Manley	Stewart
Callahan	Falkenburg	Mathews	Stokes
Carnes	Gafford	May	Taylor
Carter	Goodwin	Meeks	Therrell
Casey	Grainger	Naramore	Timmons
Collins	Gray (F)	Owens	Turner
Connell	Grey (D)	Parker (T)	Turnham
Coshatt	Harris	Perloff	Wallace
Cottingham	Headley	Pruitt	Weeks
Crawford	Hill	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wood
Crowe	King	Reynolds	Wynot
Dill			—69

Nays:

Messrs.:	Parker (H)	Stubbs	Williams
Flippo	Slate		—5

And the bill:

S. 13. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Was read a third time at length and passed.

Yeas 48; Nays 22.

Yeas:

Messrs.:	Doss	Lutz	Smith (K)
Adams	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Boutwell	Ellis	McDonald	Stewart
Brassell	Erdreich	Manley	Stokes
Callahan	Falkenburg	Meeks	Therrell
Carnes	Flippo	Naramore	Timmons
Casey	Grainger	Parker (T)	Turner
Cauthen	Gray (F)	Perloff	Wallace
Collins	Harris	Pruitt	Weeks
Coshatt	Hill	Reed (T)	Wood
Crowe	King	St. John	Wynot
Culver			—48

Nays:

Mr. Speaker	Grey (D)	Parker (H)	Taylor
Adwell	Headley	Reid (R)	Turnham
Connell	Hobbie	Reynolds	Waldrop
Dill	Jones (F)	Slate	Warren
Easters	Lang	Stubbs	Williams
Goodwin	Owens		—22

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 109. To amend Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay to employees.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 71. To provide an expense allowance for the register in equity of the circuit court and for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Wilder:

S. J. R. 48. Mourning the death of Dr. E. O. Majure.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 48, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

S. 15. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewide effect.

Was taken up.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 107. To exempt authorities now or hereafter organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940, as amended.

Also:

H. 86. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Littleton:

S. 158. To amend the title and Section 1 of Act No. 520, H. 213, Regular Session 1971, approved August 31, 1971, which Act provides an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census; so as to provide that such expense allowance shall be paid to the Chairman of the Board of County Commissioners instead of the Probate Judge.

Also:

By Messrs. Jones and Pierce:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Also:

By Mr. McLain:

S. 133. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and

compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

By Mr. Owen:

S. 138. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting acts.

Also:

By Mr. Register:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 50,000 nor more than 60,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Also:

By Mr. Hammond:

S. 146. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

NOTICE is hereby given that a bill substantially as follows will be intro-

duced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 1734, H. 2563, Regular Session 1971 approved September 17, 1971, which provides for juries composed for six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1734, H. 2563, Regular Session 1969, providing for juries composed of six members for trial of certain cases in DeKalb County is hereby amended to read as follows:

Section 1. The trial of all civil and criminal cases in the DeKalb County Court which according to law are triable by jury shall be tried by a jury composed of six members to be drawn, summoned, selected, and empaneled as provided in Code of Alabama 1940, Title 30, except that the list from which any six-man jury is to be struck may consist of a minimum of 12 jurors instead of the minimum number prescribed by law."

Section 2. This Act shall become effctive immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on December 14, December 21, December 28, 1971, and January 4, 1972, all in the years 1971 and 1972.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this 5th day of January, 1972.

MARY RUTH BROWN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 158. Standing Committee on Local Legislation No. 1.

S. 123. Standing Committee on Local Legislation No. 4.

S. 133. Standing Committee on Local Legislation No. 4.

S. 138. Standing Committee on Local Legislation No. 1.

S. 145. Standing Committee on Local Legislation No. 1.

S. 146. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hammond:

S. 147. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of any Inferior Court created by local law in DeKalb County shall receive as a salary the sum of $6,900.00 per year, payable in equal monthly installments, out of the County Treasury upon his warrant drawn upon the County Treasurer, or other proper custodian. This shall be in lieu of all of the compensation heretofore provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in

said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice have appeared in the issue of said paper on December 9, 16, 23, and 30, all in the year, 1971.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this 5th day of January, 1972.

MARY RUTH BROWN,
Notary Public.

Also:

By Mr. Givhan:

S. 134. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having a population of not less than 14,500 nor more than 15,500 inhabitants, according to the most recent federal decennial census.

Section 2. All members of the county board of education in such counties shall be paid an expense allowance of $50 per month out of any education funds available to the county for such purposes. The expense allowance provided for by this Act shall be in addition to any and all other expense allowances, compensation and salary provided for by law.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 9, 16, 23, and 30, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me December 30, 1971.

ELIZABETH F. STEWART,
Notary Public,
Perry Co., Ala.

Also:

By Mr. Shelby:

S. 153. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, to provide further for the compensation of members of boards of registrars in such counties.

Also:

By Mr. Shelby:

S. 154. To repeal Act No. 290, H. 418, 1965 Regular Session, entitled, "An Act Relating to counties having populations of not less than 100,000 and not more than 115,000 according to the most recent federal decennial census; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 147. Standing Committee on Local Legislation No. 1.

S. 134. Standing Committee on Local Legislation No. 1.

S. 153. Standing Committee on Local Legislation No. 1.

S. 154. Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Hammond:

S. 166. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial

census; to provide for a clerk hire allowance for the Board of Registrars of said county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 166. Standing Committee on Local Legislation No. 1.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 86. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Also:

H. 107. To exempt authorities now or hereafter organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940, as amended.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the Titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 117. To Amend Act #2, (Second Special Session) 1971. So as to change the appropriation made in Section 2, F (23) (e) thereof.

Also:

By Mr. Owen:

S. 157. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 117. Standing Committee on Health.

S. 157. Standing Committee on Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Littleton, Givhan and Cooper:

S. 159. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

By Mr. Dozier:

S. 124. To make an appropriation from the Alabama Special Education Trust Fund to the Enterprise High School Band for the purpose of representing Alabama at the 1972 Olympic games in Munich, Germany.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropirate Standing Committees as follows:

S. 159. Standing Committee on Ways and Means.

S. 124. Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty for the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971. by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 128, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 128, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:20 P.M. on January 12, 1972:

H. J. R. 90

H. J. R. 91

H. 94

H. 169

H. 152

H. 4

H. 5

H. 103

H. 117

H. 90

H. 14

H. 69

H. 88

H. 89

H. 161

H. 173

H. 185

H. 186

Delivered to the Secretary of State at 4:26 P.M. on January 12, 1972:

H. 56 (Constitutional Amendment)

Delivered to the Governor at 4:35 P.M. on January 12, 1972:

H. 57

H. 59

H. 132

Delivered to the Governor at 4:55 P.M. on January 12, 1972:

H. 130

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Turnham, the House, pursuant to H. J. R. 92 heretofore adopted, adjourned until 4:00 o'clock p. m., Wednesday, January 19, 1972.

Yeas 43; Nays 30.

Yeas:

Messrs.:	Downing	Jones (F)	Robertson
Adwell	Easters	King	Slate
Barkett	Edwards	Kinsey	Smith (K)
Bassett	Flippo	Lang	Stokes
Benton	Goodwin	Manley	Stubbs
Brassell	Grainger	May	Therrell
Carter	Hardin	Parker (T)	Turnham
Collins	Harris	Perloff	Wallace
Crawford	Headley	Reid (R)	Weeks
Cross	Hearn	Reynolds	Williams
Dill	Jackson	Roberts	Wise

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Nays:

Mr. Speaker	Culver	McDonald	Stewart
Adams	Doss	Meeks	Taylor
Boutwell	Drake	Naramore	Timmons
Callahan	Gafford	Owens	Turner
Carnes	Grey (D)	Parker (H)	Waggoner
Casey	Lutz	St. John	Wood
Cauthen	McBride	Smith (P)	Wynot
Coshatt	McCluskey		

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EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, January 19, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Chriss Doss, Birmingham, Alabama, Chaplain of the House of Representatives.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Culver	Jones (E)	Roberts
Adwell	Dill	Jones (F)	Robertson
Baker	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Bassett	Easters	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McCorquodale	Stokes
Bowers	Falkenburg	McDonald	Straiton
Brassell	Fite	Manley	Stubbs
Burgess	Flippo	Mathews	Taylor
Callahan	Gafford	May	Therrell
Carnes	Gloor	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Turnham
Cauthen	Gray (F)	Naramore	Waggoner
Cherner	Grey (D)	Nettles	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker (H)	Warren
Connell	Harris	Parker (T)	Weeks
Coshatt	Headley	Perloff	Williams
Cottingham	Hearn	Pruitt	Wise
Crawford	Hill	Reed (T)	Wood
Cross	Hobbie	Reid (R)	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

TOM DRAKE,
CHAIRMAN.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventeenth legislative day was approved.

LEAVES OF ABSENCE

Leaves of absence were granted for Messrs. Agee and O'Danial due to personal illness.

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. R. 102. INVITING GOVERNOR WALLACE TO ADDRESS THE ALABAMA HOUSE OF REPRESENTATIVES.

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES That His Excellency, Governor George Wallace, be invited to address this body at 4:40 p.m. today in the hall of the House of Representatives for the purpose of briefly presenting to this body any recommendations which he may have with respect to the passage of bills which he considers most vital for the continued progress of this State.

BE IT FURTHER RESOLVED That we extend an invitation to the Senate to attend.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. R. 102, was adopted.

And the Speaker appointed as a committee Messrs. Downing, Taylor and Bank to wait upon the Governor, in accordance with H. R. 102.

RECESS

The hour of 4:40 o'clock p. m. having arrived and in accordance with H. R. 102 heretofore adopted, the House recessed to hear an address by His Excellency, George C. Wallace, Governor of the State of Alabama.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the House of Representatives and delivered in person his message.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 300. (With Substitute) (With Amendment). To further amend Title 51, Section 17, Code of Alabama 1940, as last amended, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 159. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 117. To amend Act # 2, (Second Special Session) 1971. So as to change the appropriation made in Section 2, F (23) (e) thereof.

H. 225. To amend Section 2 and Section 9 of Act No. 1516, Regular Session, 1971, so as to appropriate the fees received in Section 9.

H. 226. To amend Act No. 1590, Regular Session, 1971, so as to appropriate the fees received in Section 2.

H. 227. To amend Act No. 1594, Regular Session, 1971, so as to appropriate the fees received in Section 4 and Section 13 therein.

H. 251. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 265. (With Amendment). To make appropriations from the Alabama Special Education Trust Fund in the State Treasury for the use and benefit of the Alabama Industrial School, Mt. Meigs, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 262. To authorize the county boards of education in all counties having populations of not less than 26,725 nor more than 27,250, according to the last or any subsequent federal decennial census, to furnish certain supplies and services, used for educational purposes, heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

H. 263. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; authorizing the County Board of Education to relocate their offices to new facilities at their discretion.

H. 291. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide for an expense allowance for the license inspector.

H. 292. Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

H. 293. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to authorize the county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands within the county; and prescribing the procedure for levying and collecting such assessments.

H. 301. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

S. 134. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

S. 146. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

S. 147. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

S. 158. To amend the title and Section 1 of Act No. 520, H. 213, Regular Session 1971, approved August 31, 1971, which Act provides an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census; so as to provide that such expense allowance shall be paid to the Chairman of the Board of County Commissioners instead of the Probate Judge.

S. 166. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the follow-

ing bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 133. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Mr. Lyons, Chairman of the Standing Committee on Intergovernmental Cooperation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 299. (With Substitute). To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Mr. Lyons, Chairman of the Standing Committee on Intergovernmental Cooperation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 306. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Mathews:

H. 309. Relating to all counties having a population of not less than 12,000 nor more than 12,800 according to the most recent federal decennial census; to provide further for the pay of the coroner.

Local Legislation No. 1.

By Messrs. Cross and Carter:

H. 310. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, whose roads and bridges are constructed and maintained by the State Highway Department, forbidding the judge of probate to remit certain funds to the State Highway Department.

Local Legislation No. 1.

By Mr. Goodwin:

H. 311. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 6,836, nor more than 6,907.

Local Legislation No. 1.

By Messrs. McCorquodale, Pruitt, Manley and Williams:

H. 312. To further amend Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, which relates to certain truck and truck tractor licenses.

Commerce and Transportation.

By Mr. McCorquodale:

H. 313. To authorize, require and provide for the refund of a portion of the state sales tax paid in each county on purchases made with food stamps to such county and the incorporated municipalities therein; to provide for the distribution and prescribe the use of the proceeds of such refund; and to place certain duties on the state department of revenue.

Ways and Means.

By Mr. McCorquodale (With Notice and Proof):

H. 314. To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

Local Legislation No. 1.

Notice and Proof H. 314:

Notice is hereby given that a bill substantially as follows will be introduced at each special session of the Legislature of Alabama which may be called by the Governor prior to the next regular session, and at each such special session application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of McIntosh, Washington County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include within the corporate limits of said Town the following described territory, to-wit:

Section 37 Township N Range R1 East Washington County, Alabama.

Section 37 NE¼ of the SW¼ and SE¼, NE¼.

Section 36 Township 4 N Range 1 East S¼ of SE¼.

Section 38 Township 4 N Range 1 East.

Section 35 Township 4 N Range 1 East S½ of the SW¼.

Section 40, Township 4 Range 1 East, W½ of the W½.

Section 28, 3 N 1 East All North of River Road.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WASHINGTON

I, DALTON JACKSON, Publisher of the Call-News Dispatch, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the A Bill To Be Entitled An Act, legal, as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for four consecutive weeks, commencing with the issue dated December 2, 1971, and ending with the issue date December 23, 1971. I further certify that I have the right and authority to make this affidavit.

DALTON JACKSON.

Sworn to and subscribed before me on this, the 29th day December, 1971.

ANNETTE R. BAXTER,
Notary Public.

My commission expires 8-23-73.

By Mr. Headley (With Notice and Proof):

H. 315. To authorize the sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Local Legislation No. 1.

Notice and Proof H. 315:

STATE OF ALABAMA
COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To authorize the Sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law to the contrary notwithstanding the Sheriff of Chilton County shall be authorized to collect and retain for his own use, as a service allowance the fees prescribed by the general law for feeding prisoners confined in the county jail.

Section 2. All laws or parts of laws in conflict with the provisions hereof be, and the same hereby are, expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, Notary Public in and for said county and state, T. E. Wyatt, Publisher of the Union-Banner, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 4th, 11th, 18th and 25th day of November, 1971.

T. E. WYATT,
Publisher.

Subscribed and sworn to before me this 9th day of December, 1971.

FRANCIS W. SPEAKS,
Notary Public.

By Mr. Headley:

H. 316. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Chilton County, and the regulation of costs and charges of courts in said county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Headley:

H. 317. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide compensation for members of the county hospital board.

Local Legislation No. 1.

By Messrs. Downing, Bank and Stokes:

H. 318. To amend Section 3 of Act No. 96, H. 17, First Special Session 1971, approved May 11, 1971, entitled "An Act To raise revenue; to levy a privilege or license tax against persons on account of engaging in the business of leasing or renting tangible personal property; to prescribe the rates of the said tax and to provide certain exemptions therefrom; to provide for administration and collection of the said tax, and in connection therewith, to define further the terms 'wholesale sale' and 'retail sale' for the purpose of administering Act No. 100 adopted at the Second Extraordinary Session of 1959 of the Legislature of Alabama, as amended, and Section 787 of Title 51 of the Code of Alabama of 1940, as amended; and to provide for the disposition of revenues from the said tax," so as to redefine the exemptions from the tax levied by said Act.

Ways and Means.

By Mr. Snell:

H. 319. To amend further Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis, amending such Act in relation to the powers of the board of directors of the authority relative to the handling of funds of the authority.

Local Legislation No. 1.

By Messrs. Turner, Burgess, Turnham, Easters, Stubbs, Crawford, Hobbie, Culver, Merrill, Downing, Owens, Lyons, Williams, Mathews, Fite, Jones (F), McCorquodale and Robertson:

H. 320. To provide for presidential preferential primary elections; to require all political parties which elect to hold primary elections for nomination of state, district, or federal officers to hold such presidential preferential primary elections; to provide for the conduct of such elections; to provide for the selection of candidates for such election; to provide for the selection of convention delegates by such presidential preferential primary election; to provide for the form of ballot for such primary and to prohibit certain political parties from selecting delegates to national political conventions under certain circumstances.

Intergovernmental Cooperation.

By Messrs. Turner, Burgess, Turnham, Easters, Culver, Merrill, Hobbie, Crawford, Downing, Stubbs, Williams, Owens, Lyons, Mathews, Fite, Jones (F), McCorquodale and Robertson:

H. 321. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presdidential or Vice Presidential candidate.

Intergovernmental Cooperation.

By Messrs. Turner, Burgess, Turnham, Easters, Stubbs, Hobbie, Culver, Merrill, Crawford, Williams, Downing, Owens, Lyons, Jones (F), Mathews, Fite, McCorquodale and Robertson:

H. 322. To amend the definition of a political party eligible to conduct primary elections; to amend Title 17, Sections 337 and 412, Code of Alabama, 1940, as amended; to provide that the requirement for determination of a political party be based on a percentage of the total votes cast for a county or state constitutional officer.

Intergovernmental Cooperation.

By Messrs. Warren and Mims:

H. 323. To amend Section 1 of Act No. 1099, S. 49, Regular Session 1969 (Acts 1969, p. 2035), which provides penalties for persons convicted of stealing fish from persons engaged in fish farming; providing further that the stealing of catfish shall be a felony.

Judiciary.

By Messrs. Cherner and Hill:

H. 324. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Health.

By Messrs. St. John and Drake:

H. 325. Relating to all counties having a population of not less than 50,000 nor more than 52,500 inhabitants according to the most recent federal decennial census; to repeal any Act relating to such counties numbered Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971.

Local Legislation No. 1.

By Messrs. St. John and Hobbie:

H. 326. To provide tuition grants to resident students of the State of Alabama who are attending private accredited colleges or universities in Alabama.

Ways and Means.

By Messrs. St. John and Hobbie:

H. 327. To make a conditional appropriation for funding and administering tuition grants to resident students attending private colleges in Alabama.

Ways and Means.

By Messrs. St. John, Drake, McDonald, Cottingham and Turner:

H. 328. To amend further Sections 5 and 22 of Act No. 2485, S. 483, 1971 Regular Session, approved October 1, 1971, entitled "An Act To fur-

ther amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws," so as to provide further for the qualification of licensees and to change the effective date of said Act to October 1, 1972.

Judiciary.

By Messrs. St. John, Drake, McDonald, Cottingham and Turner:

H. 329. To appropriate $15,000 to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. King, Grainger, Cross, Cauthen, McBride, Hearn, Lutz, Baker, Timmons, Waldrop, Doss, Jones (F), Erdreich, Crowe, Cherner, Wynot, Stewart, Manley, Weeks, Mims, Warren, May, Jackson, Falkenburg, Hale, St. John, Flippo, Ellis, Chesnut, Boutwell, Coshatt, Culver, Bank, Callahan and Slate:

H. 330. To amend Act No. 47, H. 29 of the Regular Session of 1951 (Acts of 1951, v. 1, p. 259), as amended, which is known as the Alabama G. I. and Dependents' Educational Benefit Act, so as to provide for an extension of the time for initiating a course of instruction without the payment of tuition or fees for servicemen on active duty in the United States Armed Forces and stationed outside the State of Alabama during the period of his eligibility for benefits under this Act.

Military Affairs.

By Messrs. Stewart, Cauthen, McCluskey, Manley, Crowe, Cherner, Gray (F), Casey, Hearn, Lutz, Doss, Erdreich, King and Flippo:

H. 331. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

Judiciary.

By Messrs. Boles, Turner, Cottingham, Jackson, Parker (H), Dill, McCorquodale and Hobbie:

H. 332. Relating to Education; to require all public school principals within the State to report all acts of violence or threatened acts of violence where the aid or assistance of law enforcement officers is either required or requested, to the State Superintendent of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

Education.

By Messrs. Boles, Lyons, Parker (H), Burgess, Wallace, Timmons, McBride, Hearn, Dill, Boutwell, Carnes, Wynot, Grey (D), Smith (K), Robertson, Jones (E), Parker (T), Waggoner, Mims, Manley, Crowe, May, Warren, Headley, Bank, St. John, Stewart, Hale, Waldrop, Wood, Callahan, Jackson, Cottingham, Culver, Ellis, Edwards, Nettles, Therrell, Naramore, Gray (F), Stokes, Connell, Barkett, Lang, Casey, Doss, King, Lutz, Carter, Jones (F), Wise, Kinsey, Cherner, Weeks, Cauthen, Brassell, Erdreich, Falkenburg, Coshatt, Reid (R), Goodwin, Reed (T), Snell, Crawford, Stubbs, Owens, Adwell, Bowers, Gafford, Turner, Straiton, Taylor and McCorquodale:

H. 333. To make appropriations for each of the fiscal years ending September 30, 1972 and September 30, 1973 out of the State General Fund for the purpose of employing persons to seek out and find marijuana plants in Jefferson County.

Ways and Means.

By Messrs. McBride, Erdreich, Dill, Parker (H), Ellis and Boles:

H. 334. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to provide that all members of the public school boards of education in such counties be required to reside within the area over which the particular school system has jurisdiction; and to provide for the effective date of the provisions of this act.

Local Legislation No. 2.

By Messrs. Bowers, Dill, Boutwell, Erdreich, Ellis, Adwell, Boles, Waggoner and Jones (E):

H. 335. To amend Section 587 of Title 37, Code of Alabama, 1940, as amended, relating to appeal from Recorder's Court.

Judiciary.

By Messrs. Lang, Grey (D), Reid (R) and Fite:

H. 336. To appropriate the sum of $45,000 for the fiscal year ending September 30, 1972 and $35,000 for the fiscal year ending September 30, 1973 out of the State General Fund to the Tombigbee Valley Development Authority.

Ways and Means.

By Messrs. Jones (F), Straiton, Harris and Taylor:

H. 337. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Health.

By Messrs. Jones (F), Harris, Straiton and Taylor:

H. 338. To amend further Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), as amended, so as to exempt persons working for institutions of higher learning which are under the control of

boards of trustees from having to secure approval of the Governor for out of state travel; providing also that Alabama State University and all other institutions of higher learning which do not have a board of trustees are also included within the provisions of this Act.

Education.

By Mr. McCluskey:

H. 339. To amend Act No. 2052, S. 122, Regular Session 1971, approved October 1, 1971, which regulates finance charges for loans and credit sales, and extensions of credit, including consumer loans, consumer credit sales and consumer leases; authorizes the Superintendent of Banks to administer the Act and provides penalties, so as to provide further for certain minimum finance charges.

Banking.

By Messrs. Parker (H), Doss, Boles, Cherner and Gafford:

H. 340. To authorize the governing body of any county to pay the expenses of canvassing votes cast in any primary election held in such county.

Local Government.

By Mr. Therrell:

H. 341. To provide for holding a state-wide advisory referendum election at which there shall be referred to the electorate for advice concerning freedom of choice in public schools.

Constitution and Elections.

By Mr. Therrell:

H. 342. To propose an amendment to the Constitution of Alabama relative to the effect of school laws and provisions of the Constitution relating to education in Mobile County.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Mr. Stokes:

H. 343. To clarify the requirements of law respecting publication of certain municipal ordinances and resolutions; and to validate certain leases heretofore entered into by municipalities, notwithstanding the fact that the ordinance or resolution authorizing any such lease was not published.

Local Government.

By Messrs. Stokes, Therrell and Wood:

H. 344. To provide that the fire fighters of any city having a population of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census, may by election designate a bargaining agent to represent them in respect to the wages the city employing them shall pay them and in respect to other conditions of employment; to provide for calling and conducting elections to certify a bargaining agent and elections to decertify a bargaining agent; to authorize the Director of Labor of the State of

Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agent or the officer or body empowered to establish wages for the fire fighters; to provide for compulsory arbitration; to provide for the appointment of arbitrators and define their jurisdiction and authority; to provide that it shall be unlawful for a fire fighter to strike or engage in any work stoppage or slowdown, and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for fire fighters to fail to bargain in good faith, in accordance with this Act; to provide penalties for any person violating this Act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this Act.

Local Legislation No. 3.

By Messrs. Cauthen, Baker, Chesnut, Cross, Bank, Carter, King, Slate, McCorquodale, Manley, Lutz, Hearn, McDonald, McBride, Robertson, Parker (T), Headley, Crowe, Falkenburg, Callahan, Erdreich, Boutwell, Roberts, May, Harris, Warren and Taylor:

H. 345. To provide that the State Revenue Department or any county or municipality of the State must employ all real estate appraisers or appraisal firms employed under the provisions of Act. No. H. B. 59, Third Special Session, 1971, under the provisions of the State Public Bid Law.

Ways and Means.

By Messrs. Culver and Bank:

H. 346. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to abolish the offices of tax assessor and tax collector and establish in lieu thereof the office of tax assessor-collector; to prescribe the powers and duties of the tax assessor-collector; and to provide for his election, tenure, compensation, deputies and assistants.

Local Legislation No. 1.

By Messrs. Culver, McCorquodale, Turnham, Downing, Robertson and Lang:

H. 347. To establish the State of Alabama Housing Commission within the Alabama Development Office for the purpose of providing safe and sanitary housing for persons and families of limited and moderate income; to define the powers, duties, rights, privileges, immunities, limitations and functions of the State of Alabama Housing Commission; to provide for the appointment of twelve commissioners to the State Housing Commission; to designate the Chairman and Secretary of the State Housing Commission; to establish the State Housing Finance Agency; to provide for the appointment of seven commissioners to the State Housing Finance Agency; to provide for the appointment of a Chairman for the State Housing Finance Agency; to define the powers, duties, rights, privileges, immunities, limitations and functions of the State Housing Finance Agency.

State Administration.

By Mressrs. Drake and St. John (With Notice and Proof):

H. 348. To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

Local Legislation No. 1.

Notice and Proof H. 348:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or other governing body of Cullman County is hereby authorized, empowered, and directed to provide an expense allowance in the amount of $1,800.00 per annum for the Court Reporter of the Thirty Second Judicial Circuit. Such expense allowance shall be paid in equal monthly installments out of the general funds of Cullman county, and shall be in addition to any salary and any other allowances for expenses heretofore provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 23, 30, 1971, January 6, and 13, 1972.

MARC MILLER.

Sworn to and subscribed before me January 19, 1972.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake and St. John (With Notice and Proof):

H. 349. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

Local Legislation No. 1.

Notice and Proof H. 349:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, the Probate Judge in such counties shall be entitled to receive an expense allowance of $2,400.00 per year payable in monthly installments out of the general fund of the County. Such expense allowance shall be in addition to any and all other salary, compensation and allowance payable to such Probate Judge either by the State of Alabama or the County.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 23, 30, 1971, January 6, and 13, 1972.

MARC MILLER.

Sworn to and subscribed before me January 19, 1972.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake and St. John (With Notice and Proof):

H. 350. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

Local Legislation No. 1.

Notice and Proof H. 350:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, the District Attorney in such counties shall be entitled to receive an expense allowance of twenty per cent (20%) of the amount paid now or hereafter in salary by the State of Alabama, payable in monthly installments out of the general fund of the County. Such expense allowance shall be in addition to any and all other salary, compensation and allowance payable to such District Attorney either by the State of Alabama or the County.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 23, 30, 1971, January 6, and 13, 1972.

MARC MILLER.

Sworn to and subscribed before me January 19, 1972.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Merrill and Stewart:

H. 351. To create and define the offense of shoplifting and to provide the punishment therefor; to create presumptions arising out of the concealment of goods held for sale by merchants; to authorize the detention, under

certain circumstances, of persons concealing such goods; to exempt merchants and other persons from civil or criminal liability in certain cases; and for related purposes.

Judiciary.

By Mr. Reed (T):

H. 352. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Local Legislation No. 1.

By Mr. Hill:

H. 353. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the transfer of control of residential foster care facilities, and youths; to provide for the appointment of a State Youth Services Director, and to prescribe the powers and duties of the said Director; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Easters:

H. J. R. 103. CONGRATULATING THE ELBA HIGH SCHOOL BAND FOR WINNING FIRST PLACE IN THE PEACH BOWL MARCHING CONTEST IN ATLANTA, GEORGIA.

WHERES the Elba High School Band, "The Marching Tigers," recently won first place in the class C band competition and was second runner-up in the overall competition at the Peach Bowl National Marching Contest in Atlanta, Georgia; and

WHEREAS this amazing band is composed of many excellent individual talents including drum major Courtney Cannon who won first place in the drum major competition with a point score of 95 out of a possible 100 points. The band, drum major, colorguard and majorettes all received superior ratings from every judge; and

WHEREAS following the contest the Elba band was selected to perform a concert at Underground Atlanta and also was chosen to present a concert at the Atlanta City Hall for the city officials. Besides these whirlwind events the band also performed in the Peach Bowl parade and in the pre-game show of the Peach Bowl football game. Following the football game the band presented a short concert in Atlanta Stadium; and

WHEREAS this outstanding record was achieved under the astute and brilliant leadership of Band Director Billy Hickman, who inspired the great young band with his patience and understanding; and

WHEREAS this Legislature is proud of these esteemed honors which the tremendous band has won not only for themselves and the school but for the people of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it extends jubilant congratulations to the Elba High School Marching Band and Director Bill Hickman for winning first place in the class C band competition during the Peach Bowl National Marching Contest in Atlanta, Georgia.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of the band and Band Director Bill Hickman.

On motion of Mr. Easters, the rules were suspended and the resolution, H. J. R. 103, was adopted.

Also:

By Mr. Hill:

H. J. R. 104. REQUESTING THAT ACT NO. 407, H. 198, REGULAR SESSION 1971, APPROVED AUGUST 6, 1971, BE NAMED THE TIMMONS-TAYLOR-LYBRAND INSURANCE CODE BILL.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 407, H. 198, Regular Session 1971, approved August 6, 1971, be named The Timmons-Taylor-Lybrand Insurance Code Bill.

On motion of Mr. Hill, the rules were suspended and the resolution, H. J. R. 104, was adopted.

Also:

By Mr. Lang:

H. R. 105. CONGRATULATING THE LIVINGSTON STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS CHAMPIONSTHP.

WHEREAS The Livingston State University football team, "The Tigers," defeated unbeaten and untied Arkansas Tech in Birmingham's Legion Field to win the National Association of intercollegiate Athletic Football Championship. This smashing victory enabled Livingston State to finish the season with an excellent record of eleven wins and one loss; and

WHEREAS this football team equipped with pure desire and determination displayed a hard-hitting and aggressive defense throughout the season. On offense this team showed much courage and kept plowing ahead when faced with adverse situations; and

WHEREAS The Livingston State University football team was the only team in Alabama to win a national championship during the recently completed football season. This achievement brought joy not only to the team and the school but to all Alabamians; and

WHEREAS Mickey Andrews, the Head Coach, displayed astute leadership and gave tremendous inspiration to the team with his knowledge of football fundamentals; and

WHEREAS this legislature believes in the value of sports and always recognizes the athletic heroes of this state; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That it extends hearty congratulations to the Livingston State University football team, Head Coach Mickey Andrews, the Assistant Coaches and Athletic Director Don Johnston.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to members of the team, Coach Andrews, the Assistant Coaches and Athletic Director Don Johnston.

On motion of Mr. Lang, the rules were suspended and the resolution, H. J. R. 105, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 8. Validating contracts entered into on Sunday either before or after the effective date of the Act, and repealing Section 21, of Title 9, Alabama Code of 1940.

Also:

S. 9. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

Also:

S. 12. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Also:

S. 13. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Also:

S. 52. To amend further Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties having a population of not less than 13,000 nor more than 13,250.

Also:

S. 71. To provide an expense allowance for the register in equity of the circuit court and for the clerk of the juvenile court of any county having

a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Also:

S. 94. In relation to the regulation of facilities for child care, repealing Title 49, sections 62-100, as amended.

Also:

S. 95. Relating to counties having a population of not less than 22,250 nor more than 23,000, according to the last or any subsequent federal decennial census; providing an expense allowance for the probate judge of such county.

Also:

S. 109. To amend Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay to employees.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Harris and Taylor:

H. R. 106. MOURNING THE DEATH OF ROBERT HORTON RUTLAND, JR.

WHEREAS Robert Horton Rutland, Jr., age 29, a former resident of Montgomery and the son of a former member of the staff of the Building Commission, died January 1, 1972, in an automobile accident near Palo Alto, California; and

WHEREAS this promising young man was an outstanding scholar who served on the staff of his high school newspaper, "The Blue and White", at Lanier High School and was a national merit scholarship finalist in his senior year. Bob used his keen mind and great intelligence to earn his pre-law Bachelor's Degree from Auburn University and his LL.B. degree from the University of Alabama. After graduation from law school Bob successfully completed the Alabama State Bar Examination and became a member of the Alabama State Bar; and

WHEREAS he demonstrated a sensitivity and responsiveness far above the average individual and was ever ready to contribute to the needs of his

friends and for the progress and betterment of those with whom he came in contact. Bob had a marvelous wit and impressed his associates with the qualities of his character; and

WHEREAS Bob worked with the Legislative Reference Service for two summers during school and immediately following his graduation from law school. Upon his graduation he entered the Marine Corps and served his country with integrity and honor. After his discharge from the Marine Corps he made his home in California; and

WHEREAS the presence of this outstanding young man brought much joy and delight to all his family and friends. Bob's untimely death is an irreparable loss not only to those who knew him but to mankind; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That it mourns the untimely death of this fine young man, Robert Horton Rutland, Jr., and expresses profound grief and deep sorrow to his family.

BE IT FURTHER RESOLVED, that the Clerk of the House appoint Representative James D. Harris, Jr. of Montgomery County as its representative to transmit copies of this resolution to members of the family.

On motion of Mr. Harris, the rules were suspended and the resolution, H. R. 106, was adopted.

S. 145 RE-REFERRED

On motion of Mr. Connell, the Speaker re-referred the bill, S. 145, from the Standing Committee on Local Legislation No. 1 to the Standing Committee on Local Government.

RESOLUTION

The following resolution was introduced:

By Messrs. Robertson, Parker (T) and Bank:

H. J. R. 107. CONGRATULATING REPRESENTATIVE JOHN CULVER UPON BECOMING A GRANDFATHER

WHEREAS Janice Marchant, the daughter of our distinguished colleague, John Culver, gave birth on January 11, 1972 at Montgomery Baptist Hospital to a beautiful baby boy who tipped the scales at 6 pounds 9 ounces; and

WHEREAS this event placed Representative Culver in that glorious field reserved only for grandfathers of the world; and

WHEREAS the baby, named Jason Lee Marchant, has become not only the joy of his parents, John and Janice Marchant of Montgomery but has also brought great joy to Representative Culver and his wife; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its jubilant congratulations to our beloved colleague, Representative John Culver, upon becoming a grandfather.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. J. R. 107, was adopted.

RESOLUTIONS

The following resolutions introduced on the Seventeenth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 93. MOURNING THE DEATH OF CORBIN HARDAWAY, JR.

H. J. R. 94. MOURNING THE DEATH OF OSCAR "POP" McINTOSH SPENCER

H. J. R. 95. MOURNING THE DEATH OF ROBERT HORTON RUTLAND, JR.

H. J. R. 97. HONORING DR. ALSTON CALLAHAN FOR SERVICES AND OUTSTANDING WORK DONE IN BIRMINGHAM, ALABAMA.

H. J. R. 101. COMMENDING TROOPER LYNN A. WRIGHT FOR WINNING THE "TROOPER OF THE YEAR" AWARD FOR 1971

S. J. R. 48. MOURNING THE DEATH OF DR. E. O. MAJURE.

On motion of Mr. Gloor, the resolutions were adopted en masse.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House for its consideration:

H. J. R. 92. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 19, 1972.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the House non-concurred in the Senate amendment to the resolution, H. J. R. 92, said Senate amendment being as follows:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING That when the two Houses adjourn today they meet on Wednesday, January 19, 1972 and that when we meet Wednesday, January 19, 1972 we adjourn until February 23, 1972 without pay for the period January 19, 1972 until February 23, 1972.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Casey
Adams	Benton	Burgess	Cauthen
Adwell	Boles	Callahan	Cherner
Bank	Boutwell	Carnes	Chesnut
Barkett	Bowers	Carter	Connell

Coshatt	Gray (F)	Manley	Smith (K)
Cottingham	Grey (D)	Mathews	Smith (P)
Crawford	Hale	May	Snell
Cross	Hardin	Meeks	Stewart
Crowe	Harris	Merrill	Stokes
Culver	Headley	Mims	Straiton
Dill	Hearn	Naramore	Stubbs
Doss	Hill	Nettles	Therrell
Downing	Hobbie	Owens	Timmons
Drake	Jackson	Parker (H)	Turner
Easters	Jones (E)	Parker (T)	Turnham
Edwards	Jones (F)	Perloff	Waggoner
Ellis	King	Pruitt	Waldrop
Erdreich	Kinsey	Reed (T)	Wallace
Falkenburg	Lang	Reid (R)	Warren
Fite	Lutz	Reynolds	Weeks
Flippo	McBride	Roberts	Williams
Gafford	McCluskey	Robertson	Wise
Gloor	McCorquodale	St. John	Wood
Goodwin	McDonald	Slate	Wynot
Grainger			

—101

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. R. 108. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT WHEN THE HOUSE ADJOURNS TODAY IT ADJOURNS TO MEET AT 4:00 P.M. ON THURSDAY, JANUARY 20, 1972.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Gloor to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 108, was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Connell	Goodwin	McCorquodale
Adams	Coshatt	Grainger	McDonald
Adwell	Cottingham	Gray (F)	Mathews
Baker	Crawford	Grey (D)	May
Bank	Cross	Hale	Meeks
Barkett	Crowe	Hardin	Merrill
Bassett	Dill	Harris	Mims
Benton	Doss	Headley	Naramore
Boles	Downing	Hearn	Nettles
Boutwell	Drake	Hill	Owens
Bowers	Easters	Hobbie	Parker (H)
Brassell	Edwards	Jackson	Parker (T)
Burgess	Ellis	Jones (E)	Pruitt
Callahan	Erdreich	Jones (F)	Reed (T)
Carnes	Falkenburg	King	Reid (R)
Carter	Fite	Kinsey	Reynolds
Cauthen	Flippo	Lutz	Roberts
Cherner	Gafford	McBride	Robertson
Chesnut	Gloor	McCluskey	St. John

Slate	Straiton	Turnham	Weeks
Smith (K)	Stubbs	Waggoner	Williams
Smith (P)	Therrell	Waldrop	Wise
Snell	Timmons	Wallace	Wood
Stewart	Turner	Warren	Wynot
Stokes			

—97

Mr. Manley offered the following substitute to the resolution, H. R. 108:

Be it Resolved that when the House adjourns today, it adjourns to meet on Thursday, January 20, 1972, at 12:00 noon, and when the House adjourns on Thursday, January 20, 1972, it adjourns to meet again on Tuesday, January 25, 1972, at 2:00 p. m.

SUBSTITUTE TABLED

On motion of Mr. Gloor, the substitute offered by Mr. Manley was tabled.

Yeas 67; Nays 29.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jones (E)	St. John
Bank	Downing	Jones (F)	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	McBride	Stokes
Boles	Ellis	McCluskey	Straiton
Boutwell	Falkenburg	McCorquodale	Stubbs
Bowers	Fite	McDonald	Therrell
Brassell	Gafford	Mathews	Turner
Callahan	Gloor	Merrill	Turnham
Carnes	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Naramore	Waldrop
Connell	Hardin	Owens	Wallace
Coshatt	Harris	Parker (T)	Warren
Crawford	Headley	Pruitt	Williams
Cross	Hearn	Roberts	

—67

Nays:

Messrs.:	Flippo	Manley	Slate
Adwell	Goodwin	May	Stewart
Carter	Grey (D)	Nettles	Taylor
Casey	Hale	Parker (H)	Timmons
Cherner	Hill	Perloff	Weeks
Chesnut	Jackson	Reid (R)	Wood
Doss	King	Reynolds	Wynot
Erdreich	Lutz		

—29

The question, then, was on the adoption of the resolution, H. R. 108, and on motion of Mr. Gloor, the resolution was adopted.

Yeas 73; Nays 11.

Yeas:

Messrs.:	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers

Brassell	Flippo	Lutz	Smith (K)
Carnes	Gloor	McCluskey	Smith (P)
Carter	Grainger	McCorquodale	Snell
Casey	Gray (F)	McDonald	Stewart
Cauthen	Grey (D)	Mathews	Stokes
Chesnut	Hale	Merrill	Straiton
Coshatt	Hardin	Mims	Stubbs
Cottingham	Harris	Naramore	Taylor
Crawford	Headley	Nettles	Turner
Cross	Hill	Owens	Turnham
Crowe	Hobbie	Parker (H)	Waggoner
Downing	Jackson	Pruitt	Wallace
Drake	Jones (E)	Reed (T)	Warren
Easters	Jones (F)	Robertson	Weeks
Edwards	King	St. John	Williams
Falkenburg	Kinsey	Slate	Wise
Fite	Lang		

—73

Nays:

Messrs.:	Gafford	Perloff	Waldrop
Cherner	Hearn	Roberts	Wood
Erdreich	McBride	Timmons	Wynot

—11

BILLS ON THIRD READING

And the bill:

H. 201. To authorize and permit grocery stores to remain open on Sunday in each County in the State having a population of not less than 50,000 and not more than 52,500 inhabitants according to the last or any succeeding Federal Census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday, and further provided that said grovery store does not exceed 3,500 square feet of floor space, and to provide licensing such grocery stores by the license issuing officer of such County; authorizing the State to enjoin grocery stores remaining open on Sunday contrary to this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Hale
Adams	Casey	Drake	Hardin
Adwell	Cauthen	Easters	Harris
Baker	Cherner	Edwards	Headley
Bank	Chesnut	Ellis	Hearn
Barkett	Connell	Erdreich	Hill
Bassett	Coshatt	Falkenburg	Hobbie
Benton	Cottingham	Fite	Jackson
Boles	Crawford	Flippo	Jones (E)
Boutwell	Cross	Gafford	Jones (F)
Bowers	Crowe	Goodwin	King
Brassell	Culver	Grainger	Kinsey
Callahan	Dill	Gray (F)	Lang
Carnes	Doss	Grey (D)	Lutz

McBride	Owens	Slate	Turner
McCluskey	Parker (H)	Smith (K)	Turnham
McCorquodale	Parker (T)	Smith (P)	Waggoner
McDonald	Perloff	Snell	Waldrop
Manley	Pruitt	Stewart	Wallace
Mathews	Reed (T)	Stokes	Warren
May	Reid (R)	Straiton	Weeks
Meeks	Reynolds	Stubbs	Williams
Merrill	Roberts	Taylor	Wise
Mims	Robertson	Therrell	Wood
Naramore	St. John	Timmons	Wynot
Nettles			

—101

And the bill:

H. 223. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 per month.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 224. Relating to all counties having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census, to provide for the regulation of parking on property of such counties around the county courthouse; to set a time limit for motor vehicles to be parked; to regulate parking of vehicles blocking driveways for unreasonable periods; to prohibit blocking of other vehicles lawfully parked and to prohibit

parking in unauthorized places; and to authorize the sheriff and such persons as he may deputize, to enforce the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			—101

And the bill:

H. 237. To provide an allowance to the Judge of the Second Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Callahan	Crowe	Flippo
Adams	Carnes	Culver	Gafford
Adwell	Carter	Dill	Goodwin
Baker	Casey	Doss	Grainger
Bank	Cauthen	Downing	Gray (F)
Barkett	Cherner	Drake	Grey (D)
Bassett	Chesnut	Easters	Hale
Benton	Connell	Edwards	Hardin
Boles	Coshatt	Ellis	Harris
Boutwell	Cottingham	Erdreich	Headley
Bowers	Crawford	Falkenburg	Hearn
Brassell	Cross	Fite	Hill

Hobbie	May	Reynolds	Therrell
Jackson	Meeks	Roberts	Timmons
Jones (E)	Merrill	Robertson	Turner
Jones (F)	Mims	St. John	Turnham
King	Naramore	Slate	Waggoner
Kinsey	Nettles	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Wallace
Lutz	Parker (H)	Snell	Warren
McBride	Parker (T)	Stewart	Weeks
McCluskey	Perloff	Stokes	Williams
McCorquodale	Pruitt	Straiton	Wise
McDonald	Reed (T)	Stubbs	Wood
Manley	Reid (R)	Taylor	Wynot
Mathews			

—101

And the bill:

H. 238. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," amending such act in relation to the term of such members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 239. To amend Section 18 of An Act Entitled "An Act Requiring The Registration And Licensing of Barbers And Barber Apprentices, And Barber Colleges, Creating For The Administration Of This Act A State Board

Of Barber Examiners, And Defining Violation Of This Act And Prescribing Penalties Therefor."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 240. To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Erdreich
Adams	Callahan	Cross	Falkenburg
Adwell	Carnes	Crowe	Fite
Baker	Carter	Culver	Flippo
Bank	Casey	Dill	Gafford
Barkett	Cauthen	Doss	Goodwin
Bassett	Cherner	Downing	Grainger
Benton	Chesnut	Drake	Gray (F)
Boles	Connell	Easters	Grey (D)
Boutwell	Coshatt	Edwards	Hale
Bowers	Cottingham	Ellis	Hardin

Harris	McDonald	Reed (T)	Taylor
Headley	Manley	Reid (R)	Therrell
Hearn	Mathews	Reynolds	Timmons
Hill	May	Roberts	Turner
Hobbie	Meeks	Robertson	Turnham
Jackson	Merrill	St. John	Waggoner
Jones (E)	Mims	Slate	Waldrop
Jones (F)	Naramore	Smith (K)	Wallace
King	Nettles	Smith (P)	Warren
Kinsey	Owens	Snell	Weeks
Lang	Parker (H)	Stewart	Williams
Lutz	Parker (T)	Stokes	Wise
McBride	Perloff	Straiton	Wood
McCluskey	Pruitt	Stubbs	Wynot
McCorquodale			

—101

And the bill:

H. 257. Relating to counties having a population of not less than 65,500 nor more than 75,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 260. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 264. Relating to counties having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to authorize the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Callahan	Crowe	Flippo
Adams	Carnes	Culver	Gafford
Adwell	Carter	Dill	Goodwin
Baker	Casey	Doss	Grainger
Bank	Cauthen	Downing	Gray (F)
Barkett	Cherner	Drake	Grey (D)
Bassett	Chesnut	Easters	Hale
Benton	Connell	Edwards	Hardin
Boles	Coshatt	Ellis	Harris
Boutwell	Cottingham	Erdreich	Headley
Bowers	Crawford	Falkenburg	Hearn
Brassell	Cross	Fite	Hill

Hobbie	May	Reynolds	Therrell
Jackson	Meeks	Roberts	Timmons
Jones (E)	Merrill	Robertson	Turner
Jones (F)	Mims	St. John	Turnham
King	Naramore	Slate	Waggoner
Kinsey	Nettles	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Wallace
Lutz	Parker (H)	Snell	Warren
McBride	Parker (T)	Stewart	Weeks
McCluskey	Perloff	Stokes	Williams
McCorquodale	Pruitt	Straiton	Wise
McDonald	Reed (T)	Stubbs	Wood
Manley	Reid (R)	Taylor	Wynot
Mathews			

—101

And the bill:

S. 105. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

S. 126. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

S. 132. To amend Act No. 403, H. 330, Regular Session 1971, approved August 19, 1971, amending Section 18 of said Act in relation to the counties in which the Act shall not apply.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Cherner	Falkenburg	Jones (F)
Adams	Chesnut	Fite	King
Adwell	Connell	Flippo	Kinsey
Baker	Coshatt	Gafford	Lang
Bank	Cottingham	Goodwin	Lutz
Barkett	Crawford	Grainger	McBride
Bassett	Cross	Gray (F)	McCluskey
Benton	Crowe	Grey (D)	McCorquodale
Boles	Culver	Hale	McDonald
Boutwell	Dill	Hardin	Manley
Bowers	Doss	Harris	Mathews
Brassell	Downing	Headley	May
Callahan	Drake	Hearn	Meeks
Carnes	Easters	Hill	Merrill
Carter	Edwards	Hobbie	Mims
Casey	Ellis	Jackson	Naramore
Cauthen	Erdreich	Jones (E)	Nettles

Owens	Robertson	Straiton	Waldrop
Parker (H)	St. John	Stubbs	Wallace
Parker (T)	Slate	Taylor	Warren
Perloff	Smith (K)	Therrell	Weeks
Pruitt	Smith (P)	Timmons	Williams
Reed (T)	Snell	Turner	Wise
Reid (R)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—101

And the bill:

H. 175. To amend the title and Sections 1, 3 and 14 of Act No. 306, H. 356, 1963 Regular Session (Acts 1963, p. 775) which regulated the practice of barbering and established a County Board of Barber Commissioners in certain counties classified on a population basis; and making the provisions of this amendatory act retroactive to September 1, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 279. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants, according to the last or any subsequent federal decennial census; to provide an additional allowance for all salaried deputies of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 213. Relating to the financing of sanitary sewers in each county having a population of 600,000 or more according to the last or any subsequent federal decennial census; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring or providing sanitary sewer facilities for the collection, transmission, treatment and disposal of sewage; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the revenues from such facilities, or the proceeds from certain taxes, or both such revenues and such taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to authorize any such county to enter into the undertakings and to assume the obligations permitted by Act No. 42 enacted at the 1971 Regular Session of the Legislature; to provide that the issuance of any warrants and the interest coupons applicable thereto or the execution of any contract pursuant to the said Act No. 42 shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof; to exempt such warrants and contracts from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 231. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lang
Adams	Connell	Gafford	Lutz
Adwell	Coshatt	Goodwin	McBride
Baker	Cottingham	Grainger	McCluskey
Bank	Crawford	Gray (F)	McCorquodale
Barkett	Cross	Grey (D)	McDonald
Bassett	Crowe	Hale	Manley
Benton	Culver	Hardin	Mathews
Boles	Dill	Harris	May
Boutwell	Doss	Headley	Meeks
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hill	Mims
Callahan	Easters	Hobbie	Naramore
Carnes	Edwards	Jackson	Nettles
Carter	Ellis	Jones (E)	Owens
Casey	Erdreich	Jones (F)	Parker (H)
Cauthen	Falkenburg	King	Parker (T)
Cherner	Fite	Kinsey	Perloff

Pruitt	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Therrell	Warren
Reid (R)	Snell	Timmons	Weeks
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Straiton	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—101

And the bill:

H. 124. To amend Section 4 of Title 12 of the Code of Alabama of 1940, As Amended by an Act of the Legislature entitled, "To Amend Section 4 of Title 12 of the 1940 Code of Alabama," approved on September 19, 1949, and an Act of the Legislature entitled, "To Amend Title 12, Section 4, Code of Alabama, 1940, as amended pertaining to reports and remittances by tax collectors", approved September 23, 1959, to authorize depositories for county health funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 182. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

S. 113 (With Amendment). To provide for the duties and compensation for the members of the Board of Equalization in all counties having a population of not less than 300,000 nor more than 500,000 according to the last federal decennial census.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend Section 2 of Senate Bill 113 by changing the figure $6,000 to the figure $4,500 and by changing the figure $5,500 to the figure $3,750.

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Doss
Adams	Bowers	Connell	Downing
Adwell	Brassell	Coshatt	Drake
Baker	Callahan	Cottingham	Easters
Bank	Carnes	Crawford	Edwards
Barkett	Carter	Cross	Ellis
Bassett	Casey	Crowe	Erdreich
Benton	Cauthen	Culver	Falkenburg
Boles	Cherner	Dill	Fite

Flippo	Kinsey	Parker (H)	Straiton
Gafford	Lang	Parker (T)	Stubbs
Goodwin	Lutz	Perloff	Taylor
Grainger	McBride	Pruitt	Therrell
Gray (F)	McCluskey	Reed (T)	Timmons
Grey (D)	McCorquodale	Reid (R)	Turner
Hale	McDonald	Reynolds	Turnham
Hardin	Manley	Roberts	Waggoner
Harris	Mathews	Robertson	Waldrop
Headley	May	St. John	Wallace
Hearn	Meeks	Slate	Warren
Hill	Merrill	Smith (K)	Weeks
Hobbie	Mims	Smith (P)	Williams
Jackson	Naramore	Snell	Wise
Jones (E)	Nettles	Stewart	Wood
Jones (F)	Owens	Stokes	Wynot
King			

—101

And the bill, S. 113, as thus amended was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 252. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Madison County shall be made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 253. Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lang
Adams	Connell	Gafford	Lutz
Adwell	Coshatt	Goodwin	McBride
Baker	Cottingham	Grainger	McCluskey
Bank	Crawford	Gray (F)	McCorquodale
Barkett	Cross	Grey (D)	McDonald
Bassett	Crowe	Hale	Manley
Benton	Culver	Hardin	Mathews
Boles	Dill	Harris	May
Boutwell	Doss	Headley	Meeks
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hill	Mims
Callahan	Easters	Hobbie	Naramore
Carnes	Edwards	Jackson	Nettles
Carter	Ellis	Jones (E)	Owens
Casey	Erdreich	Jones (F)	Parker (H)
Cauthen	Falkenburg	King	Parker (T)
Cherner	Fite	Kinsey	Perloff

Pruitt	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Therrell	Warren
Reid (R)	Snell	Timmons	Weeks
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Straiton	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—101

And the bill:

H. 254. To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 255. To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 256. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Headley
Adams	Cauthen	Edwards	Hearn
Adwell	Cherner	Ellis	Hill
Baker	Chesnut	Erdreich	Hobbie
Bank	Connell	Falkenburg	Jackson
Barkett	Coshatt	Fite	Jones (E)
Bassett	Cottingham	Flippo	Jones (F)
Benton	Crawford	Gafford	King
Boles	Cross	Goodwin	Kinsey
Boutwell	Crowe	Grainger	Lang
Bowers	Culver	Gray (F)	Lutz
Brassell	Dill	Grey (D)	McBride
Callahan	Doss	Hale	McCluskey
Carnes	Downing	Hardin	McCorquodale
Carter	Drake	Harris	McDonald

Manley	Perloff	Smith (P)	Turnham
Mathews	Pruitt	Snell	Waggoner
May	Reed (T)	Stewart	Waldrop
Meeks	Reid (R)	Stokes	Wallace
Merrill	Reynolds	Straiton	Warren
Mims	Roberts	Stubbs	Weeks
Naramore	Robertson	Taylor	Williams
Nettles	St. John	Therrell	Wise
Owens	Slate	Timmons	Wood
Parker (H)	Smith (K)	Turner	Wynot
Parker (T)			

—101

And the bill:

H. 247. To amend Section 1 of Act No. 1165, H. 1509, Regular Session 1971, approved September 7, 1971, which relates to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; authorizing an expense allowance for the assistant district attorney of the inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 248. To amend Section 1 of Act No. 1166, H. 1510, Regular Session 1971, approved September 7, 1971, which relates to counties having populations of not less than 34,100 nor more than 34,900 according to the

most recent federal decennial census; authorizing an expense allowance for the judge of inferior court so as to make such expense allowance mandatory; and to make the provisions of this amendment retroactive to September 7, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

S. 119. To provide for a State supplement to the Deputy District Attorney in the Thirty-first Judicial Circuit.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Callahan	Crowe	Flippo
Adams	Carnes	Culver	Gafford
Adwell	Carter	Dill	Goodwin
Baker	Casey	Doss	Grainger
Bank	Cauthen	Downing	Gray (F)
Barkett	Cherner	Drake	Grey (D)
Bassett	Chesnut	Easters	Hale
Benton	Connell	Edwards	Hardin
Boles	Coshatt	Ellis	Harris
Boutwell	Cottingham	Erdreich	Headley
Bowers	Crawford	Falkenburg	Hearn
Brassell	Cross	Fite	Hill

Hobbie	May	Reynolds	Therrell
Jackson	Meeks	Roberts	Timmons
Jones (E)	Merrill	Robertson	Turner
Jones (F)	Mims	St. John	Turnham
King	Naramore	Slate	Waggoner
Kinsey	Nettles	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Wallace
Lutz	Parker (H)	Snell	Warren
McBride	Parker (T)	Stewart	Weeks
McCluskey	Perloff	Stokes	Williams
McCorquodale	Pruitt	Straiton	Wise
McDonald	Reed (T)	Stubbs	Wood
Manley	Reid (R)	Taylor	Wynot
Mathews			

—101

And the bill:

S. 136. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 2 and 11, Township 16N, Range 18E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			

—101

And the bill:

H. 280. To repeal Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971, entitled, "An act relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Baker	Drake	Lang	Slate
Bank	Easters	Lutz	Smith (K)
Barkett	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Grey (D)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Connell	Headley	Parker (T)	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Pruitt	Williams
Crawford	Hobbie	Reed (T)	Wise
Cross	Jackson	Reid (R)	Wood
Crowe	Jones (E)	Reynolds	Wynot
Culver			—101

MOTION TO ADJOURN LOST

The motion of Mr. Robertson that the House adjourn until 4:00 o'clock p. m., Thursday, January 20, 1972, was lost.

Yeas 34; Nays 53.

Yeas:

Messrs.:	Connell	Jones (F)	Slate
Adwell	Crawford	Kinsey	Stokes
Baker	Culver	Manley	Straiton
Barkett	Dill	Mims	Taylor
Bassett	Edwards	Naramore	Therrell
Benton	Erdreich	Parker (T)	Timmons
Carter	Falkenburg	Reed (T)	Wallace
Casey	Grey (D)	Roberts	Weeks
Chesnut	Harris	Robertson	—34

Nays:

Mr. Speaker	Callahan	Doss	Gafford
Adams	Carnes	Downing	Gloor
Boles	Cauthen	Drake	Goodwin
Boutwell	Cherner	Easters	Grainger
Brassell	Coshatt	Ellis	Hale
Burgess	Cross	Flippo	Headley

Hearn	McBride	Parker (H)	Stewart
Hill	McCorquodale	Pruitt	Stubbs
Hobbie	McDonald	Reynolds	Turnham
Jackson	May	St. John	Waldrop
Jones (E)	Meeks	Smith (K)	Warren
King	Merrill	Smith (P)	Williams
Lang	Owens	Snell	Wynot
Lutz			

—53

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

S. 15. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewide effect.

Was again taken up.

MOTION TO POSTPONE LOST

The motion of Mr. Stubbs to postpone the bill, S. 15, to the Twentieth Legislative Day was lost.

Yeas 36; Nays 39.

Yeas:

Mr. Speaker	Connell	Kinsey	Robertson
Barkett	Crawford	Lang	Slate
Bassett	Edwards	McCorquodale	Straiton
Benton	Gafford	May	Stubbs
Boles	Grainger	Mims	Turnham
Brassell	Headley	Naramore	Wallace
Burgess	Hobbie	Owens	Warren
Callahan	Jackson	Parker (H)	Williams
Carnes	Jones (E)	Reed (T)	Wynot

—36

Nays:

Messrs.:	Culver	Hearn	Pruitt
Baker	Dill	Hill	Reynolds
Bank	Doss	King	Roberts
Boutwell	Downing	Lutz	St. John
Carter	Drake	McBride	Smith (P)
Casey	Erdreich	McCluskey	Snell
Cauthen	Flippo	McDonald	Stewart
Cherner	Goodwin	Manley	Waggoner
Coshatt	Hale	Merrill	Waldrop
Cross	Harris	Nettles	Weeks

—39

MOTION TO POSTPONE S. 15 LOST

The motion of Mr. Robertson to postpone the bill, S. 15, to the Nineteenth Legislative Day was lost.

Yeas 34; Nays 51.

Yeas:

Messrs.:			
Adams	Culver	Lang	Straiton
Barkett	Easters	McCorquodale	Stubbs
Bassett	Edwards	May	Therrell
Benton	Gloor	Mims	Turner
Boles	Grainger	Naramore	Turnham
Brassell	Headley	Owens	Warren
Connell	Hobbie	Parker (H)	Weeks
Crawford	Jones (E)	Robertson	Wise
	Kinsey	Smith (K)	—34

Nays:

Messrs.:			
Baker	Cross	Harris	Pruitt
Bank	Crowe	Hearn	Reynolds
Boutwell	Dill	Hill	Roberts
Bowers	Doss	King	St. John
Burgess	Downing	Lutz	Slate
Carnes	Drake	McBride	Smith (P)
Carter	Erdreich	McCluskey	Snell
Casey	Falkenburg	McDonald	Stewart
Cauthen	Flippo	Manley	Stokes
Cherner	Gafford	Meeks	Waggoner
Chesnut	Goodwin	Merrill	Waldrop
Cottingham	Gray (F)	Nettles	Wood
	Hale	Parker (T)	Wynot
			—51

The question, then, was on passage of the bill, S. 15, and the bill was read a third time at length and passed.

Yeas 64; Nays 19.

Yeas:

Mr. Speaker	Cross	Hearn	Reynolds
Baker	Crowe	Hill	Roberts
Bank	Dill	Jones (E)	St. John
Boles	Doss	King	Smith (K)
Boutwell	Downing	Lutz	Smith (P)
Bowers	Drake	McBride	Snell
Burgess	Edwards	McCluskey	Stewart
Callahan	Erdreich	McDonald	Stokes
Carnes	Falkenburg	Manley	Straiton
Carter	Flippo	May	Timmons
Casey	Gafford	Merrill	Turner
Cauthen	Goodwin	Naramore	Waldrop
Cherner	Grainger	Nettles	Weeks
Chesnut	Gray (F)	Owens	Williams
Coshatt	Hale	Parker (T)	Wood
Cottingham	Harris	Pruitt	Wynot
			—64

Nays:

Messrs.:			
Barkett	Crawford	Lang	Slate
Bassett	Culver	McCorquodale	Stubbs
Benton	Headley	Mims	Therrell
Connell	Hobbie	Parker (H)	Turnham
	Kinsey	Robertson	Warren
			—19

BILLS ON THIRD READING RESUMED

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Having been postponed from the Seventeenth Legislative Day was again taken up.

H. 179 TEMPORARILY CARRIED OVER

On motion of Mr. McDonald, the bill, H. 179, was temporarily carried over.

And the bill:

S. 19. Limiting the Duration of Contracts for the Sale of Land and Limiting the Notice of Contracts for the Sale of Land recorded Either before or After the Effective Date of this Act.

Was read a third time at length and passed.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker	Cottingham	Jackson	Pruitt
Adams	Crowe	Jones (E)	Roberts
Baker	Culver	Jones (F)	St. John
Bank	Dill	King	Smith (K)
Barkett	Doss	Lutz	Smith (P)
Bassett	Downing	McBride	Snell
Boles	Drake	McCluskey	Stokes
Boutwell	Edwards	McDonald	Straiton
Bowers	Ellis	Meeks	Therrell
Brassell	Erdreich	Merrill	Timmons
Burgess	Falkenburg	Mims	Turner
Callahan	Flippo	Naramore	Turnham
Carnes	Grainger	Nettles	Waldrop
Carter	Gray (F)	Owens	Warren
Casey	Hale	Parker (H)	Weeks
Cherner	Harris	Parker (T)	Wood
Connell	Hearn	Perloff	Wynot
Coshatt	Hill		—70

Nays:

Messrs.:	Kinsey	Robertson	Stubbs
Headley			—4

And the bill:

H. 216. To amend the title and Sections 2 and 4 of Act No. 4, S. 53, Regular Session 1969, (Acts 1969, p. 297) which Act permits corporations to pay a rate or rates of interest not to exceed 15% per annum on the loan or forbearance of money having an original principal balance of more than $10,000 and less than $100,000, and permits a corporation to pay such rates

on loans in excess of $100,000 as that corporation may determine under certain restrictions, in order to extend such loan provisions to general and limited partnerships.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Cross	Hobbie	Perloff
Adams	Crowe	Jackson	Pruitt
Baker	Culver	Jones (E)	Reynolds
Bank	Dill	Jones (F)	Roberts
Barkett	Doss	King	St. John
Bassett	Downing	Kinsey	Slate
Benton	Drake	Lang	Smith (K)
Boles	Easters	Lutz	Smith (P)
Boutwell	Edwards	McBride	Snell
Bowers	Ellis	McCluskey	Stokes
Brassell	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Therrell
Carnes	Gafford	May	Timmons
Carter	Goodwin	Meeks	Turner
Casey	Grainger	Merrill	Turnham
Cauthen	Gray (F)	Mims	Wallace
Cherner	Hale	Naramore	Warren
Chesnut	Harris	Nettles	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker (H)	Wood
Cottingham	Hill	Parker (T)	Wynot

—88

Nay: Mr. Stewart —1

RESOLUTION

The following resolution was introduced:

By Mr. Gloor:

H. R. 109. WHEREAS, the Senate of the State of Alabama on the 19th day of January 1972 passed the following motion by Lybrand,

"I move that the Senate stand in informal recess for the purpose of receiving all House Messages and then adjourn until February 23rd at 4:00 o'clock p.m.", and

WHEREAS, the Constitution of the State of Alabama provides that neither House shall, without consent of the other, adjourn for more than three (3) days

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of Alabama that the House of Representatives does NOT consent to the aforesaid adjournment motion of the Senate, and

BE IT FURTHER RESOLVED that a copy of this Resolution be furnished to each member of the Senate of the State of Alabama in order that

they may each be apprised of the fact that the Senate has not passed a valid adjournment motion.

Mr. Gloor moved to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 109.

MOTION TO ADJOURN LOST

The motion of Mr. Baker that the House adjourn until 4:00 o'clock p.m., Thursday, January 20, 1972, was lost.

Yeas 25; Nays 64.

Yeas:

Messrs.:	Cauthen	Hearn	Roberts
Adwell	Cottingham	Hill	Slate
Baker	Crowe	Jackson	Stokes
Boles	Dill	Manley	Weeks
Callahan	Ellis	Nettles	Wood
Carnes	Erdreich	Parker (T)	Wynot
Carter	Gafford		

—25

Nays:

Mr. Speaker	Doss	Lang	Smith (K)
Adams	Downing	Lutz	Smith (P)
Barkett	Drake	McBride	Snell
Bassett	Easters	McCluskey	Stewart
Benton	Edwards	McCorquodale	Straiton
Boutwell	Falkenburg	May	Stubbs
Bowers	Gloor	Merrill	Therrell
Brassell	Goodwin	Mims	Timmons
Burgess	Grainger	Naramore	Turner
Casey	Grey (D)	Owens	Turnham
Cherner	Harris	Parker (H)	Waggoner
Chesnut	Headley	Perloff	Waldrop
Connell	Hobbie	Pruitt	Wallace
Coshatt	Jones (E)	Reid (R)	Warren
Crawford	King	Robertson	Williams
Culver	Kinsey	St. John	Wise

—64

The question, then, was on the motion offered by Mr. Gloor to suspend the rules in order to take up for immediate consideration the resolution, H. R. 109, and the motion was adopted.

Yeas 77; Nays 16.

Yeas:

Mr. Speaker	Brassell	Culver	Grainger
Adams	Burgess	Doss	Grey (D)
Adwell	Callahan	Downing	Harris
Bank	Carnes	Drake	Headley
Barkett	Connell	Easters	Hearn
Bassett	Coshatt	Edwards	Hill
Benton	Cottingham	Falkenburg	Hobbie
Boles	Crawford	Gafford	Jackson
Boutwell	Cross	Gloor	Jones (E)
Bowers	Crowe	Goodwin	Kinsey

Lang	Naramore	Slate	Turner
Lutz	Owens	Smith (K)	Turnham
McBride	Parker (H)	Smith (P)	Waggoner
McCluskey	Parker (T)	Snell	Wallace
McCorquodale	Perloff	Stewart	Warren
McDonald	Pruitt	Stokes	Weeks
Mathews	Reid (R)	Straiton	Williams
May	Roberts	Stubbs	Wise
Merrill	Robertson	Therrell	Wynot
Mims			—77

Nays:

Messrs.:	Cherner	Flippo	Meeks
Baker	Dill	Hale	Nettles
Carter	Ellis	King	Timmons
Casey	Erdreich	Manley	Wood
Cauthen			—16

And the resolution, H. R. 109, was adopted.

Yeas 66; Nays 24.

Yeas:

Mr. Speaker	Crowe	Lang	Smith (K)
Adams	Culver	Lutz	Smith (P)
Bank	Downing	McBride	Snell
Barkett	Drake	McCluskey	Stewart
Bassett	Easters	McCorquodale	Stokes
Benton	Edwards	McDonald	Straiton
Boles	Falkenburg	Mathews	Stubbs
Boutwell	Gloor	Merrill	Therrell
Bowers	Goodwin	Mims	Turner
Brassell	Grainger	Naramore	Turnham
Burgess	Grey (D)	Owens	Waggoner
Callahan	Harris	Parker (T)	Warren
Carnes	Headley	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Jackson	Reid (R)	Wise
Cottingham	Jones (E)	Robertson	Wynot
Crawford	Kinsey		—66

Nays:

Messrs.:	Chesnut	Gafford	Meeks
Adwell	Dill	Hale	Nettles
Baker	Doss	Hearn	Roberts
Carter	Ellis	Hill	Timmons
Casey	Erdreich	King	Waldrop
Cauthen	Flippo	Manley	Wood
Cherner			—24

BILLS ON THIRD READING RESUMED

And the bill:

H. 193. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domici-

liary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 2.

Yeas:

Mr. Speaker	Drake	Lutz	Slate
Adams	Easters	McCluskey	Smith (K)
Bank	Edwards	McCorquodale	Smith (P)
Barkett	Ellis	McDonald	Snell
Bassett	Erdreich	Manley	Stewart
Benton	Flippo	May	Stokes
Boutwell	Goodwin	Meeks	Straiton
Bowers	Grainger	Merrill	Stubbs
Brassell	Gray (F)	Mims	Therrell
Burgess	Grey (D)	Naramore	Timmons
Carnes	Hale	Nettles	Turner
Carter	Harris	Owens	Turnham
Casey	Headley	Parker (T)	Waldrop
Chesnut	Hearn	Perloff	Wallace
Connell	Hill	Pruitt	Warren
Coshatt	Jackson	Reid (R)	Weeks
Cottingham	Jones (E)	Reynolds	Williams
Cross	Jones (F)	Roberts	Wise
Culver	King	Robertson	Wood
Doss	Kinsey	St. John	Wynot
Downing	Lang		—82

Nays: Messrs.: Dill and Parker —2

And the bill:

S. 102. To provide for a comprehensive land management and use program in flood-prone areas of this state and to allow governmental units of Alabama to meet the requirements of the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Was taken up.

S. 102 INDEFINITELY POSTPONED

On motion of Mr. Nettles, the bill, S. 102, was indefinitely postponed.

And the bill:

H. 202. To amend further Act No. 672, S. 99 of the Regular Session of 1965 (Acts 1965, p. 1208), which is known as the Farmers Market Authority Act, said amendment relating to the annual salary of the Administrator of the Farmers Market Authority.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Baker that the House adjourn until 4:00 o'clock p.m., Thursday, January 20, 1972, was lost.

Yeas 32; Nays 57.

Yeas:

Messrs.:	Chesnut	Lang	Slate
Adwell	Connell	Manley	Stewart
Baker	Cottingham	Naramore	Stokes
Benton	Dill	Nettles	Straiton
Brassell	Flippo	Parker (H)	Taylor
Carter	Harris	Perloff	Wallace
Casey	Hearn	Roberts	Weeks
Cauthen	Jones (F)	Robertson	Wood
Cherner			

—32

Nays:

Mr. Speaker	Drake	Jackson	Pruitt
Bank	Easters	Jones (E)	Smith (K)
Barkett	Edwards	King	Smith (P)
Bassett	Ellis	Kinsey	Snell
Boutwell	Falkenburg	Lutz	Stubbs
Bowers	Gafford	McBride	Therrell
Burgess	Gloor	McCluskey	Timmons
Carnes	Goodwin	McCorquodale	Turner
Coshatt	Grainger	McDonald	Turnham
Crawford	Grey (D)	May	Waldrop
Cross	Hale	Meeks	Warren
Crowe	Headley	Merrill	Williams
Culver	Hill	Mims	Wise
Doss	Hobbie	Owens	Wynot
Downing			

—57

H. 202 RESUMED

The question, then, was on the passage of the bill, H. 202, and the bill was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grey (D)
Adwell	Carter	Downing	Hale
Baker	Casey	Drake	Harris
Bank	Cauthen	Easters	Headley
Barkett	Chesnut	Edwards	Hearn
Bassett	Connell	Ellis	Hill
Benton	Coshatt	Erdreich	Hobbie
Boles	Cottingham	Falkenburg	Jackson
Boutwell	Cross	Flippo	Jones (E)
Bowers	Crowe	Goodwin	Jones (F)
Brassell	Culver	Grainger	King
Burgess	Dill	Gray (F)	Kinsey

Lutz	Naramore	St. John	Turner
McBride	Nettles	Slate	Turnham
McCluskey	Owens	Smith (K)	Waldrop
McCorquodale	Parker (H)	Smith (P)	Wallace
McDonald	Parker (T)	Snell	Warren
Manley	Perloff	Stokes	Weeks
May	Pruitt	Straiton	Williams
Meeks	Reynolds	Stubbs	Wood
Merrill	Roberts	Therrell	Wynot
Mims	Robertson		

—86

And the bill:

H. 218. To make a supplemental appropriation to the Farmers Market Authority for the fiscal years ending September 30, 1972 and September 30, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 3.

Yeas:

Mr. Speaker	Doss	King	Robertson
Adams	Downing	Kinsey	Slate
Baker	Drake	Lang	Smith (K)
Bank	Easters	Lutz	Smith (P)
Barkett	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Falkenburg	McDonald	Stokes
Boles	Flippo	Manley	Straiton
Boutwell	Goodwin	May	Stubbs
Brassell	Grainger	Merrill	Therrell
Burgess	Gray (F)	Mims	Timmons
Carnes	Grey (D)	Naramore	Turner
Carter	Hale	Nettles	Turnham
Chesnut	Harris	Owens	Waldrop
Connell	Headley	Parker (H)	Wallace
Coshatt	Hearn	Parker (T)	Warren
Cottingham	Hill	Perloff	Weeks
Crawford	Hobbie	Pruitt	Williams
Cross	Jackson	Reid (R)	Wise
Culver	Jones (E)	Reynolds	Wood
Dill	Jones (F)	Roberts	Wynot

—84

Nays: Messrs.: Adwell, Cherner and Gafford —3

And the bill:

H. 222. To make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Baker	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Flippo	Manley	Straiton
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Therrell
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turner
Cauthen	Grey (D)	Mims	Turnham
Cherner	Hale	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hearn	Parker (H)	Weeks
Cottingham	Hill	Perloff	Williams
Cross	Hobbie	Pruitt	Wise
Crowe	Jackson	Reid (R)	Wood
Culver	Jones (E)	Reynolds	Wynot

—92

And the bill:

H. 268. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Was taken up.

H. 268 POSTPONED

On motion of Mr. Stubbs, the bill, H. 268, was postponed to the Twentieth Legislative Day.

And the bill:

H. 249. Providing an appropriation of $150,000 from the General Fund of the State of Alabama for the use of the legislature for equipment and repairs necessary in the Senate and House.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 8.

Yeas:

Mr. Speaker	Boles	Carter	Crowe
Adams	Bowers	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Coshatt	Downing
Bassett	Callahan	Cottingham	Drake
Benton	Carnes	Cross	Easters

Edwards	Jones (F)	Nettles	Stokes
Falkenburg	King	Owens	Straiton
Flippo	Kinsey	Parker (T)	Stubbs
Goodwin	Lutz	Perloff	Therrell
Grainger	McBride	Pruitt	Timmons
Gray (F)	McCluskey	Reid (R)	Turner
Grey (D)	McCorquodale	Reynolds	Turnham
Hale	McDonald	Roberts	Wallace
Headley	Manley	Robertson	Warren
Hearn	May	Smith (K)	Weeks
Hill	Merrill	Smith (P)	Williams
Hobbie	Mims	Snell	Wise
Jackson	Naramore	Stewart	Wood
Jones (E)			—77

Nays:

Messrs.:	Boutwell	Erdreich	Slate
Adwell	Doss	St. John	Waldrop
Baker			—8

MOTION TO ADJOURN LOST

The motion of Mr. Stokes that the House adjourn until 4:00 o'clock p.m., Thursday, January 20, 1972, was lost.

Yeas 41; Nays 49.

Yeas:

Messrs.:	Chesnut	Kinsey	Roberts
Adams	Connell	Lang	Robertson
Adwell	Cottingham	McDonald	Slate
Bank	Culver	Manley	Stewart
Barkett	Dill	Mathews	Stokes
Bassett	Downing	Merrill	Straiton
Benton	Edwards	Naramore	Taylor
Burgess	Harris	Owens	Weeks
Callahan	Hearn	Parker (T)	Wise
Carter	Jackson	Pruitt	Wood
Cauthen	Jones (F)		—41

Nays:

Mr. Speaker	Easters	Hill	Reid (R)
Baker	Ellis	Hobbie	Reynolds
Boles	Erdreich	Jones (E)	Smith (K)
Boutwell	Falkenburg	King	Smith (P)
Bowers	Flippo	Lutz	Therrell
Brassell	Gafford	McBride	Timmons
Carnes	Gloor	McCluskey	Turner
Cherner	Goodwin	Meeks	Turnham
Coshatt	Grainger	Mims	Waldrop
Crawford	Grey (D)	Nettles	Wallace
Cross	Hale	Parker (H)	Warren
Doss	Headley	Perloff	Williams
Drake			—49

BILLS ON THIRD READING RESUMED

And the bill:

S. 11. (With Amendment). Giving effect to certain conveyances of

land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a presumption as to the power of certain corporate officers; extending the effect of Section 58, of Act Number 414, Alabama Laws, Regular Session, 1959, dealing with the defense of ultra vires, to all corporations organized for private profit and giving retroactive effect to the provisions of this act.

Was taken up.

S. 11 POSTPONED

On motion of Mr. Robertson, the bill, S. 11, with pending amendment, was postponed to the Nineteenth Legislative Day.

Yeas 46; Nays 34.

Yeas:

Mr. Speaker	Easters	McCorquodale	Smith (K)
Adams	Edwards	McDonald	Stokes
Barkett	Ellis	Manley	Stubbs
Bassett	Falkenburg	Mims	Therrell
Benton	Gafford	Naramore	Timmons
Boles	Grey (D)	Owens	Turnham
Carter	Harris	Parker (H)	Wallace
Chesnut	Headley	Parker (T)	Warren
Connell	Hearn	Reid (R)	Weeks
Coshatt	Hobbie	Robertson	Williams
Cottingham	Kinsey	Slate	Wise
Crawford	Lang		—46

Nays:

Messrs.:	Dill	Hale	Pruitt
Baker	Doss	Jackson	Reynolds
Bank	Downing	King	St. John
Boutwell	Drake	Lutz	Smith (P)
Burgess	Erdreich	McBride	Straiton
Carnes	Flippo	McCluskey	Turner
Cauthen	Goodwin	Meeks	Waldrop
Cross	Grainger	Merrill	Wood
Crowe	Gray (F)	Nettles	—34

MOTION TO ADJOURN LOST

The motion of Mr. Robertson that the House adjourn until 4:00 o'clock p. m., Thursday, January 20, 1972, was lost.

Yeas 41; Nays 51.

Yeas:

Messrs.:	Burgess	Downing	McCorquodale
Adams	Carter	Edwards	McDonald
Adwell	Cauthen	Grey (D)	Manley
Baker	Chesnut	Harris	Merrill
Bank	Cottingham	Jones (F)	Naramore
Bassett	Culver	Kinsey	Owens
Benton	Dill	Lang	Parker (T)

Pruitt	St. John	Straiton	Weeks	
Reid (R)	Slate	Taylor	Wise	
Roberts	Stewart	Wallace	Wood	
Robertson	Stokes			—41

Nays:

Mr. Speaker	Doss	Hill	Perloff	
Barkett	Drake	Hobbie	Reynolds	
Boles	Easters	Jackson	Smith (K)	
Boutwell	Ellis	Jones (E)	Smith (P)	
Bowers	Erdreich	King	Stubbs	
Brassell	Falkenburg	Lutz	Therrell	
Carnes	Flippo	McBride	Timmons	
Cherner	Gloor	McCluskey	Turner	
Connell	Goodwin	May	Turnham	
Coshatt	Grainger	Meeks	Waldrop	
Crawford	Gray (F)	Mims	Warren	
Cross	Hale	Nettles	Williams	
Crowe	Headley	Parker (H)		—51

BILLS ON THIRD READING RESUMED

And the bill:

S. 18. To further regulate the creation, exercise and termination of powers of attorney and to validate the exercise of certain powers of attorney now of record.

Was taken up.

MOTION TO POSTPONE S. 18

Mr. Robertson offered a motion that the bill, S. 18, be postponed to the Nineteenth Legislative Day.

MOTION TABLED

On motion of Mr. St. John, the motion offered by Mr. Robertson was tabled.

Yeas 39; Nays 37.

Yeas:

Mr. Speaker	Culver	Harris	Pruitt	
Baker	Dill	Hearn	Reynolds	
Bank	Doss	Jones (F)	St. John	
Bassett	Drake	McBride	Smith (P)	
Boutwell	Erdreich	McCluskey	Stewart	
Bowers	Flippo	McDonald	Therrell	
Burgess	Gafford	Meeks	Timmons	
Cherner	Gloor	Merrill	Waggoner	
Chesnut	Goodwin	Mims	Wood	
Cottingham	Gray (F)	Nettles		—39

Nays:

Messrs.:	Benton	Carnes	Connell
Barkett	Brassell	Carter	Crawford

Cross	Hill	Naramore	Stubbs
Downing	Hobbie	Owens	Turnham
Easters	King	Parker (H)	Waldrop
Edwards	Kinsey	Parker (T)	Wallace
Ellis	Lang	Robertson	Warren
Grainger	Lutz	Slate	Weeks
Hale	McCorquodale	Straiton	Wise
Headley	Manley		

—37

MOTION TO TEMPORARILY CARRY OVER BILLS

Mr. Drake offered the motion that the bills, S. 18, S. 20, S. 21, H. 266, H. 281, H. 282, H. 283, H. 198, H. 258, H. 250, H. 196, H. 178 and H. 207, be temporarily carried over.

Mr. Baker offered the substitute motion that all bills listed in the motion of Mr. Drake, with the exception of the bill, H. 258, be temporarily carried over.

SUBSTITUTE MOTION TABLED

On motion of Mr. Drake, the substitute motion offered by Mr. Baker was tabled.

The question, then, was on the motion of Mr. Drake that the bills S. 18, S. 20, S. 21, H. 266, H. 281, H. 282, H. 283, H. 198, H. 258, H. 250, H. 196, H. 178 and H. 207, be temporarily carried over and the motion was adopted.

Yeas 52; Nays 40.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Downing	Lang	Smith (K)
Bank	Drake	McCluskey	Snell
Barkett	Easters	McCorquodale	Stubbs
Bassett	Edwards	McDonald	Therrell
Benton	Falkenburg	Mathews	Turner
Boles	Gafford	May	Turnham
Brassell	Grainger	Merrill	Wallace
Burgess	Grey (D)	Mims	Warren
Carnes	Headley	Naramore	Weeks
Connell	Hearn	Owens	Williams
Cottingham	Hobbie	Perloff	Wise
Crawford	Jackson	Reid (R)	Wood

—52

Nays:

Messrs.:	Cross	Jones (E)	Roberts
Adwell	Crowe	King	St. John
Baker	Dill	Lutz	Slate
Boutwell	Doss	McBride	Smith (P)
Bowers	Ellis	Manley	Stewart
Callahan	Erdreich	Meeks	Stokes
Carter	Flippo	Nettles	Straiton
Cauthen	Goodwin	Parker (H)	Timmons
Cherner	Hale	Parker (T)	Waggoner
Chesnut	Hill	Reynolds	Waldrop
Coshatt			

—40

And the bill:

H. 234. To amend Section 5 of Act No. 90, S. 66, 1971 First Special Session, approved May 12, 1971, entitled "An Act To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System; and to make conditional allocations to cities and counties for construction, reconstruction, and improvement of public roads and bridges," so as to provide that the appropriations made under said Section 5 for use in matching federal funds for constructing public roads and bridges may be increased by the State Highway Director as is necessary to secure available federal funds.

Was taken up.

MOTION TO POSTPONE H. 234 TABLED

Mr. Lutz offered the motion that the bill, H. 234, be postponed to the Nineteenth Legislative Day.

On motion of Mr. Drake, the motion of Mr. Lutz was tabled.

Yeas 59; Nays 28.

Yeas:

Mr. Speaker	Culver	Lang	St. John
Adams	Downing	McCluskey	Smith (K)
Bassett	Drake	McCorquodale	Smith (P)
Benton	Easters	McDonald	Snell
Boles	Edwards	Mathews	Stubbs
Boutwell	Falkenburg	May	Therrell
Brassell	Gloor	Merrill	Turner
Burgess	Goodwin	Mims	Turnham
Callahan	Grainger	Naramore	Wallace
Carnes	Grey (D)	Owens	Warren
Chesnut	Headley	Perloff	Weeks
Connell	Hearn	Reid (R)	Williams
Cottingham	Hobbie	Reynolds	Wise
Crawford	Jones (E)	Roberts	Wood
Crowe	Kinsey	Robertson	

—59

Nays:

Messrs.:	Doss	Jackson	Slate
Adwell	Ellis	King	Stewart
Baker	Erdreich	Lutz	Stokes
Bowers	Flippo	McBride	Straiton
Carter	Gafford	Manley	Timmons
Cauthen	Hale	Nettles	Waggoner
Cherner	Hill	Parker (T)	Waldrop
Dill			

—28

MOTION TO ADJOURN LOST

The motion of Mr. Baker that the House adjourn until 4:00 o'clock p.m., Thursday, January 20, 1972, was lost.

Yeas 21; Nays 59.

Yeas:

Messrs.:	Cross	Jones (F)	Perloff	
Baker	Dill	Lutz	Slate	
Carter	Erdreich	Manley	Stokes	
Cauthen	Gafford	Nettles	Straiton	
Cherner	Hale	Owens	Therrell	
Cottingham	Hearn			—21

Nays:

Mr. Speaker	Doss	King	Smith (K)	
Adams	Downing	Kinsey	Smith (P)	
Barkett	Drake	Lang	Snell	
Bassett	Easters	McBride	Stewart	
Boles	Edwards	McCluskey	Stubbs	
Boutwell	Falkenburg	McCorquodale	Timmons	
Bowers	Fite	May	Turner	
Brassell	Flippo	Merrill	Turnham	
Burgess	Gloor	Mims	Waldrop	
Carnes	Grainger	Naramore	Wallace	
Connell	Grey (D)	Parker (H)	Warren	
Coshatt	Headley	Parker (T)	Williams	
Crawford	Hill	Pruitt	Wood	
Crowe	Jackson	Reid (R)	Wynot	
Culver	Jones (E)	Robertson		—59

H. 234 RESUMED

The question, then, was on passage of the bill, H. 234, and the bill was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 12.

Nays:

Mr. Speaker	Cross	Jones (E)	Robertson	
Adams	Crowe	Jones (F)	St. John	
Adwell	Culver	Kinsey	Slate	
Baker	Downing	Lang	Smith (K)	
Bank	Drake	McCluskey	Smith (P)	
Barkett	Easters	McCorquodale	Snell	
Bassett	Edwards	McDonald	Stewart	
Benton	Ellis	Manley	Stokes	
Boles	Falkenburg	Mathews	Stubbs	
Boutwell	Fite	May	Therrell	
Bowers	Flippo	Merrill	Turner	
Brassell	Gloor	Mims	Turnham	
Burgess	Goodwin	Naramore	Waldrop	
Callahan	Grainger	Owens	Wallace	
Carnes	Grey (D)	Parker (H)	Warren	
Carter	Harris	Parker (T)	Weeks	
Chesnut	Headley	Perloff	Williams	
Connell	Hearn	Pruitt	Wise	
Coshatt	Hill	Reid (R)	Wood	
Cottingham	Hobbie	Reynolds	Wynot	
Crawford	Jackson	Roberts		—83

Nays:

Messrs.:	Doss	King	Meeks
Cauthen	Erdreich	Lutz	Nettles
Cherner	Hale	McBride	Straiton
Dill			—12

And the bill:

H. 235. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable Federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, Recompiled 1958; to provide how this Act may be cited; and to provide a severability clause."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Dill	King	Robertson
Adwell	Doss	Kinsey	St. John
Baker	Downing	Lang	Slate
Bank	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Therrell
Burgess	Gloor	Meeks	Timmons
Callahan	Goodwin	Merrill	Turner
Carnes	Grainger	Mims	Turnham
Carter	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Waldrop
Cherner	Hale	Owens	Wallace
Chesnut	Harris	Parker (H)	Warren
Connell	Headley	Parker (T)	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reid (R)	Wood
Cross	Jackson	Reynolds	Wynot
Crowe	Jones (E)		—98

And the bill:

H. 233. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and The National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 2.

Yeas:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Bank	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Easters	McBride	Smith (P)
Boles	Ellis	McCluskey	Snell
Boutwell	Erdreich	McDonald	Stewart
Bowers	Falkenburg	Manley	Straiton
Brassell	Flippo	Mathews	Stubbs
Burgess	Gafford	May	Therrell
Callahan	Gloor	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Cauthen	Gray (F)	Naramore	Waggoner
Cherner	Grey (D)	Nettles	Waldrop
Chesnut	Hale	Owens	Wallace
Connell	Harris	Parker (H)	Warren
Coshatt	Headley	Parker (T)	Weeks
Cottingham	Hearn	Perloff	Williams
Crawford	Hill	Pruitt	Wise
Cross	Jackson	Reid (R)	Wynot

—92

Nays: Messrs.: Stokes and Wood —2

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:30 P.M. On January 19, 1972:

H. 86

H. 107

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Connell, the House adjourned until 4:00 o'clock p. m., Thursday, January 20, 1972, in accordance with H. R. 108 heretofore adopted.

Yeas 53; Nays 41.

Yeas:

Messrs.:	Cottingham	Lutz	St. John
Adams	Crawford	McCorquodale	Slate
Adwell	Culver	McDonald	Snell
Bank	Dill	Manley	Stewart
Barkett	Downing	Mathews	Stokes
Bassett	Edwards	Merrill	Straiton
Benton	Grainger	Naramore	Taylor
Brassell	Grey (D)	Owens	Therrell
Burgess	Hale	Parker (T)	Timmons
Callahan	Harris	Perloff	Turner
Carter	Hearn	Pruitt	Wallace
Cauthen	Jackson	Reid (R)	Weeks
Chesnut	Jones (F)	Roberts	Wood
Connell	Lang		—53

Nays:

Mr. Speaker	Erdreich	Jones (E)	Reynolds
Baker	Falkenburg	King	Robertson
Boles	Flippo	Kinsey	Smith (K)
Boutwell	Gafford	McBride	Smith (P)
Bowers	Gloor	McCluskey	Turnham
Carnes	Goodwin	May	Waggoner
Cherner	Gray (F)	Meeks	Waldrop
Coshatt	Headley	Mims	Warren
Cross	Hill	Nettles	Williams
Doss	Hobbie	Parker (H)	Wynot
Ellis			—41

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, January 20, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Larry Bennett, Pastor, Snowdoun Methodist Church, Snowdoun, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Messrs.:	Baker	Bassett	Boutwell
Adams	Bank	Benton	Bowers
Adwell	Barkett	Boles	Brassell

Burgess	Erdreich	Lutz	St. John
Callahan	Falkenburg	McBride	Slate
Carnes	Fite	McCluskey	Smith (K)
Carter	Flippo	McCorquodale	Smith (P)
Casey	Gafford	McDonald	Snell
Cauthen	Gloor	Manley	Stewart
Cherner	Goodwin	Mathews	Stokes
Chesnut	Grainger	May	Straiton
Collins	Gray (F)	Meeks	Stubbs
Connell	Grey (D)	Merrill	Taylor
Coshatt	Hale	Mims	Therrell
Cottingham	Hardin	Naramore	Timmons
Crawford	Harris	Nettles	Turner
Cross	Headley	Owens	Turnham
Crowe	Hearn	Parker (H)	Waggoner
Culver	Hill	Parker (T)	Waldrop
Dill	Hobbie	Perloff	Wallace
Doss	Jackson	Pruitt	Warren
Downing	Jones (E)	Reed (T)	Weeks
Drake	Jones (F)	Reid (R)	Williams
Easters	King	Reynolds	Wise
Edwards	Kinsey	Roberts	Wood
Ellis	Lang	Robertson	Wynot

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Drake, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighteenth legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Smith (K), leave of absence was granted for Mr. O'Daniel due to personal illness.

On motion of Mr. Gloor, leave of absence was granted for Mr. Lyons due to the illness of his wife.

On motion of Mr. McCorquodale, leave of absence was granted for Mr. Agee due to illness.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 324. (With Amendments): Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 267. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

S. 125. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

H. 302. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the

Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 338. To amend further Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, v.1, p. 912), as amended, so as to exempt persons working for institutions of higher learning which are under the control of boards of trustees from having to secure approval of the Governor for out of state travel; providing also that Alabama State University and all other institutions of higher learning which do not have a board of trustees are also included within the provisions of this Act.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 50,000 nor more than 60,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 310. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, whose roads and bridges are constructed and maintained by the State Highway Department, forbidding the judge of probate to remit certain funds to the State Highway Department.

H. 311. To increase the Director's fees of Boards operating public util-

ity corporations in municipalities having a population of not less than 6,836, nor more than 6,907.

H. 325. Relating to all counties having a population of not less than 50,000 nor more than 52,500 inhabitants according to the most recent federal decennial census; to repeal any Act relating to such counties numbered Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971.

H. 348. To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

H. 349. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

H. 350. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

Mr. Lyons, Chairman of the Standing Committee on Intergovernmental Cooperation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 320. To provide for presidential preferential primary elections; to require all political parties which elect to hold primary elections for nomination of state, district, or federal officers to hold such presidential preferential primary elections; to provide for the conduct of such elections; to provide for the selection of candidates for such election; to provide for the selection of convention delegates by such presidential preferential primary election; to provide for the form of ballot for such primary and to prohibit certain political parties from selecting delegates to national political conventions under certain circumstances.

H. 321. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

H. 322. To amend the definition of a political party eligible to conduct primary elections; to amend Title 17, Sections 337 and 412, Code of Alabama, 1940, as amended; to provide that the requirement for determination of a political party be based on a percentage of the total votes cast for a county or state constitutional officer.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 319. To amend further Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the

amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis, amending such Act in relation to the powers of the board of directors of the authority relative to the handling of funds of the authority.

H. 309. Relating to all counties having a population of not less than 12,000 nor more than 12,800 according to the most recent federal decennial census; to provide further for the pay of the coroner.

RESOLUTION

The following resolution was introduced:

By Messrs. Cherner, Parker (H), Falkenburg, Gafford, Boutwell, Gloor, Jones (E), Doss, Erdreich, Boles, Dill, Waggoner, Wallace, Weeks, Timmons, Ellis and McBride:

H. J. R. 110. CONGRATULATING JACK PALMER FOR WINNING THE NATIONAL PUNT, PASS AND KICK CONTEST

WHEREAS Jack Palmer, a fine outstanding young athlete from Bessemer has exemplified his ability and character in the field of athletics; and

WHEREAS this young man has brought national recognition to his hometown of Bessemer by winning the thirteen year old division of the National Punt, Pass and Kick competition during half-time of the Super Bowl game in New Orleans; and

WHEREAS this esteemed achievement is a source of pride to Jack's local sponsors; the Birmingham News and the Optimist Club. The Punt, Pass and Kick contest is sponsored nationally by the Ford Motor Company in conjunction with the National Football League and competition is highly contested between young men in all areas of the United States; and

WHEREAS this Legislature wishes to give proper attention to Jack for winning the outstanding award and to wish him much success in the future; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Palmer is hereby congratulated on behalf of the State of Alabama for his outstanding achievement, and an invitation is hereby extended to Mr. Palmer and his parents Mr. and Mrs. Jack Palmer to visit the Capitol, and the city of Montgomery during the present session of the Legislature, and the privilege of the floor of both houses is extended to him and his family.

BE IT FURTHER RESOLVED, that copies of the resolution be transmitted to Mr. Palmer and his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 110, on the Clerk's desk for one legislative day.

H. 329 RE-REFERRED

On motion of Mr. St. John, the Speaker re-referred the bill, H. 329, from the Standing Committee on Ways and Means to the Standing Committee on Judiciary.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:
By Messrs. Parker (T) and Robertson:

H. 354. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an additional legal stenographer for the District Attorney in certain counties classified on a population basis.

Local Legislation No. 1.

By Mr. Owens:

H. 355. To make a conditional appropriation to the Bibb County Board of Education from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1972.

Ways and Means.

By Mr. Owens:

H. 356. To require the Alcoholic Beverage Control Board to collect all state and local sales tax accruing from the sale of alcoholic beverages in ABC stores.

Judiciary.

By Messrs. Cross and Carter:

H. 357. To provide for the qualifications of the superintendent of education in any county having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Local Legislation No. 1.

By Messrs. Cross and Carter:

H. 358. To regulate the compensation of county superintendents of education in counties having populations of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Local Legislation No. 1.

By Mr. Barkett (With Notice and Proof):

H. 359. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

Local Legislation No. 1.

Notice and Proof H. 359.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Grimes in Dale County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

The NE¼ of the SE¼ of Section 20, and the NW¼ of the SW¼ of Section 21, Township 4 North, Range 26 East, Dale County, Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on Nov. 25, Dec. 2, 9, and 16, 1971.

JOSEPH H. ADAMS.

Sworn to and subscribed before me on this the 12th day of January, 1972.

CELESTE A. WOODS,
Notary Public.

By Messrs. Dill, Parker (H) and Falkenburg:

H. 360. To amend sub-section (7) of Section 10 of Act Number 2079 (H. 1152) of the 1971 Regular Session of the Legislature, approved October 1, 1971, said Act providing for the incorporation of a municipal parking authority in any city of the State having a population of 300,000 or more, according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Mr. Jones (F):

H. 361. To amend Act No. 698, S. 45, Regular Session 1969, (Acts 1969, p. 1252), which prohibits the exposing of obscene and harmful materials to persons eighteen years of age and older so as to exempt certain persons from the provisions of the act.

Public Welfare.

By Mr. Crowe:

H. 362. Relating to counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; to provide further for the compensation of the secretary of the district attorney of the district containing any such counties, and for the compensation of the permanent clerks of the Probate, Tax Assessor, Tax Collector, and Inferior Court, of said county; to increase the compensation of such clerks and secretary and to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Crowe:

H. 363. To amend the title and Section 1 of Act No. 928, H. 1339, Regular Session 1969 (Acts of Alabama, p. 1667), which act relates to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; and to provide further for the compensation of the secretary of the district attorney of the district containing any such counties; to increase the compensation of such clerk and secretary and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 364. To repeal Act No. 1389 of the 1971 Regular Session relating to counties having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Local Legislation No. 4.

By Mr. Stokes:

H. 365. To prescribe the procedure for securing the attendance of witnesses from without the state in criminal proceedings in Alabama and of witnesses within this state in criminal proceedings in other states and providing penalties for failure to obey a summons to testify issued pursuant to this act.

Judiciary.

By Mr. Stokes:

H. 366. To make it a criminal offense to obtain or retain possession of any rented or leased personal property by certain fraudulent methods, including the giving of a false identity; to make it a criminal offense to retain leased or rented personal property after failing to return it at a time and place agreed upon in writing or after written demand has been made therefore; to prescribe the penalties for such crime; to provide defenses to civil actions arising out of the arrest or detention of persons under the provisions of this act; and to make the provisions of the act cumulative.

Judiciary.

By Mr. Stokes:

H. 367. To amend Title 51, Section 717(1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be

exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Ways and Means.

By Mr. Stokes:

H. 368. To amend Section 11 of Act No. 2052, S. 122, approved October 1, 1971, 1971 Regular Session of the Alabama Legislature, entitled, "An Act To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act," so as to increase the amount of a debtor's earnings subject to garnishment under certain conditions.

Banking.

By Mr. Stokes:

H. 369. To amend Title 51, Section 223 Code of Alabama, 1940, so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

State Administration.

By Mr. Stokes:

H. 370. To amend paragraphs numbered 3., 4., 8., 9., 16., and 18., of Section 198 (a) of Title 13, Code of Alabama 1940, as Amended, in relation to the duties of Circuit Clerks.

Judiciary.

By Mr. Stokes:

H. 371. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homeplace; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

Judiciary.

By Mr. Stokes:

H. 372. To amend the Code of Alabama, 1940, Title 51, Section 613 in relation to the license tax payable on vending machines.

Ways and Means.

By Mr. Stokes:

H. 373. To further amend Section 2 (a) of Act No. 100, Second Special Session 1959, so as to exempt persons, firms or corporations engaged exclusively in selling products dispensed through bulk vending machines.

Ways and Means.

By Messrs. Carnes, Waldrop and Wynot:

H. 374. Relating to the offering of programs at Gadsden by the University of Alabama and Jacksonville State University; to provide that Gads-

den State Junior College shall provide classrooms, library, and office facilities to said institutions, and to set the compensation to be paid to the said Gadsden State Junior College by said institutions; to provide for the creation of the Gadsden Center for Higher Education Consortium; to provide for the appointment of a co-ordinator, or dean, and to provide for the installation of certain plaques on the Gadsden State Junior College campus.

Ways and Means.

By Mr. Cherner:

H. 375. Relating to representation in the House of Representatives of the Alabama Legislature; fixing the number of members of the House; dividing the State into legislative regions, composed of whole counties; apportioning the membership of the House among these regions; and authorizing, providing for and regulating the further division of such regions into single member legislative districts at a future date.

Constitution and Elections.

By Mr. Cherner:

H. 376. Relating to representation in the Senate of the Alabama Legislature; fixing the number of Senators; dividing the State into senatorial regions, composed of whole counties; apportioning the membership of the Senate among these regions; and authorizing, providing for and regulating the further division of such regions into single member senatorial districts at a future date.

Constitution and Elections.

By Messrs. Hobbie and Stubbs:

H. 377. To provide for an appropriation out of the State General Fund to the State Employees Retirement System for the relief of Mrs. Mary H. Bentley.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Robertson:

H. J. R. 111. RECOGNIZING MILTON PARSON AS "KING OF THE LOBBYIST"

WHEREAS Milton Parson, lobbyist for the Alabama Farm Bureau, has been recognized as "king of the lobbyist" and unofficial leader of the sovereign State of Alabama, who in his campaign to attain this high position used his legion of dirt farmers, timber growers and other Farm Bureau interests to the nth degree; and

WHEREAS this Legislature has faith that Milton Parson, being a ramrod straight, hickory strong, true representative of the farming industry in the sovereign State of Alabama, will continue to lead his legion of followers to obtain every financial benefit possible for them; and

WHEREAS this gallant warrior is admirably equipped for leadership,

having a toothy grin and ample strength which he springs on adverse parties when they least expect it; and

WHEREAS this Legislature has always paid homage to its leader so let "long live King Milton" ring through these hallowed halls as we offer our condolences to the people that he displaced and also our sympathy is extended to the losers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we proclaim Milton Parson "king of the lobbyist" and unofficial leader of the sovereign State of Alabama.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Milton Parson.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Robertson to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 111, was lost.

And the resolution, H. J. R. 111, was read and referred to the Standing Committee on Rules.

Also:

By Mr. McCorquodale:

H. J. R. 112. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE THEREOF CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Friday, January 21, 1972, at 10:00 A.M., and when the two Houses adjourn on Friday, January 21, 1972, they adjourn to meet again on Tuesday, January 25, 1972.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 112, was adopted.

Also:

By Mr. McCorquodale:

H. R. 113. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT When the House adjourns today, it adjourns to meet again on Friday, January 21, 1972, at 10:00 A.M., and that when the House adjourns on Friday, January 21, 1972, it adjourns to meet again on Tuesday, January 25, 1972.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. R. 113, was adopted.

BILLS ON THIRD READING

And the bill:

H. 262. To authorize the county boards of education in all counties having populations of not less than 26,725 nor more than 27,250, according to the last or any subsequent federal decennial census, to furnish certain supplies and services, used for educational purposes, heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		—89

And the bill:

H. 263. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; authorizing the County Board of Education to relocate their offices to new facilities at their discretion.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Connell	Gafford	Lang
Adams	Coshatt	Gloor	Lutz
Adwell	Cottingham	Goodwin	McBride
Baker	Crawford	Grainger	McCorquodale
Barkett	Cross	Gray (F)	McDonald
Benton	Crowe	Grey (D)	Manley
Boles	Culver	Hale	Mathews
Boutwell	Dill	Harris	May
Bowers	Doss	Headley	Merrill
Burgess	Downing	Hearn	Mims
Callahan	Drake	Hill	Naramore
Carnes	Easters	Hobbie	Owens
Carter	Edwards	Jackson	Parker (H)
Casey	Ellis	Jones (E)	Pruitt
Cauthen	Erdreich	Jones (F)	Reed (T)
Cherner	Falkenburg	King	Reid (R)
Chesnut	Flippo	Kinsey	Reynolds

Roberts	Stewart	Timmons	Wallace
Robertson	Stokes	Turner	Warren
St. John	Straiton	Turnham	Weeks
Smith (K)	Stubbs	Waggoner	Williams
Smith (P)	Taylor	Waldrop	Wise
Snell	Therrell		—89

And the bill:

H. 291. Relating to counties having populations of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide for an expense allowance for the license inspector.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		—89

And the bill:

H. 292. Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Barkett	Bowers	Carter
Adams	Benton	Burgess	Casey
Adwell	Boles	Callahan	Cauthen
Baker	Boutwell	Carnes	Cherner

Chesnut	Gloor	McCorquodale	Smith (P)
Connell	Goodwin	McDonald	Snell
Coshatt	Grainger	Manley	Stewart
Cottingham	Gray (F)	Mathews	Stokes
Crawford	Grey (D)	May	Straiton
Cross	Hale	Merrill	Stubbs
Crowe	Harris	Mims	Taylor
Culver	Headley	Naramore	Therrell
Dill	Hearn	Owens	Timmons
Doss	Hill	Parker (H)	Turner
Downing	Hobbie	Pruitt	Turnham
Drake	Jackson	Reed (T)	Waggoner
Easters	Jones (E)	Reid (R)	Waldrop
Edwards	Jones (F)	Reynolds	Wallace
Ellis	King	Roberts	Warren
Erdreich	Kinsey	Robertson	Weeks
Falkenburg	Lang	St. John	Williams
Flippo	Lutz	Smith (K)	Wise
Gafford	McBride		—89

And the bill:

H. 293. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to authorize the county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands within the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordred sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		—89

And the bill:

H. 301. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said County.

Was taken up.

H. 301 POSTPONED

On motion of Mr. Williams, the bill, H. 301, was postponed to the Twentieth Legislative Day.

And the bill:

S. 134. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		—89

And the bill:

S. 146. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		

—89

And the bill:

S. 147. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		

—89

And the bill:

S. 158. To amend the title and Section 1 of Act No. 520, H. 213, Regular Session 1971, approved August 31, 1971, which Act provides an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census; so as to provide that such expense allowance shall be paid to the Chairman of the Board of County Commissioners instead of the Probate Judge.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Roberts
Adams	Dill	Jones (E)	Robertson
Adwell	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Smith (P)
Benton	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCorquodale	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Gloor	May	Timmons
Casey	Goodwin	Merrill	Turner
Cauthen	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Owens	Waldrop
Connell	Hale	Parker (H)	Wallace
Coshatt	Harris	Pruitt	Warren
Cottingham	Headley	Reed (T)	Weeks
Crawford	Hearn	Reid (R)	Williams
Cross	Hill	Reynolds	Wise
Crowe	Hobbie		—89

And the bill:

S. 166. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Burgess	Coshatt	Drake
Adams	Callahan	Cottingham	Easters
Adwell	Carnes	Crawford	Edwards
Baker	Carter	Cross	Ellis
Barkett	Casey	Crowe	Erdreich
Benton	Cauthen	Culver	Falkenburg
Boles	Cherner	Dill	Flippo
Boutwell	Chesnut	Doss	Gafford
Bowers	Connell	Downing	Gloor

Goodwin	Kinsey	Pruitt	Stubbs
Grainger	Lang	Reed (T)	Taylor
Gray (F)	Lutz	Reid (R)	Therrell
Grey (D)	McBride	Reynolds	Timmons
Hale	McCorquodale	Roberts	Turner
Harris	McDonald	Robertson	Turnham
Headley	Manley	St. John	Waggoner
Hearn	Mathews	Smith (K)	Waldrop
Hill	May	Smith (P)	Wallace
Hobbie	Merrill	Snell	Warren
Jackson	Mims	Stewart	Weeks
Jones (E)	Naramore	Stokes	Williams
Jones (F)	Owens	Straiton	Wise
King	Parker (H)		—89

And the bill:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Was taken up.

S. 123 POSTPONED

On motion of Mr. Harris, the bill, S. 123, was postponed to the Twentieth Legislative Day.

And the bill:

S. 133. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was taken up.

S. 133 POSTPONED

On motion of Mr. Lutz, the bill, S. 133, was postponed to the Twenty-first Legislative Day.

And the bill:

H. 179. To amend the title and sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Having been temporarily carried over on the Eighteenth Legislative Day, was again taken up.

Mr. McDonald offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Be It Enacted by the Legislature of Alabama:

Section 1. The title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, are hereby amended to read as follows:

"An act to establish the Alabama Commission on Higher Education for the general purpose of promoting an educational system that will provide the highest possible quality of collegiate and university education to all persons in the State able and willing to profit from it; to provide through the Commission for continuous study, analyses, evaluation, planning, reporting and recommendations for long-range planning with established priorities on a statewide basis to assure a sound, vigorous, progressive and co-ordinated system of higher education for this State.

"Be It Enacted by the Legislature of Alabama:

"Section 1. Definitions.

The following terms shall have the meanings respectively prescribed for them, except when the context otherwise requires:

"(a) "Public Institutions of Higher Education" shall mean those public educational institutions in Alabama which have been authorized by the Legislature to provide formal education above the secondary school level.

"(b) "Commission": The Alabama Commission on Higher Education created by this Act.

"Section 2. Membership.

The Commission shall consist of nine members appointed by the Governor by and with the advice and consent of the Senate. One person shall be appointed from each United States Congressional District in Alabama, and shall reside or maintain an office or place of business within the Congressional District from which he is appointed, and two persons residing in different congressional districts shall be appointed from the State at large.

"The nine members shall be citizens of the State and shall be selected, as far as may be practicable, on the basis of their interest in problems of higher education. Appointees shall be selected without regard to political affiliation and appointments shall be of a nature as to aid the work of the Commission and to inspire the highest degree of cooperation and confidence. No member of the Commission shall be on the governing board, be employed by or directly connected with any institution of higher education in the State, or the State Department of Education.

"All members of the Commission shall be deemed members at large charged with the responsibility of serving the best interest of the entire system of higher education in the State, including private institutions where appropriate. No member shall act as the representative of any particular region or of any particular institution of higher education.

"The Commission shall serve in an advisory capacity to the Legislature and the Governor of this State in respect to all matters pertaining to state funds for the operation and the allocation of funds for capital improvements of state supported institutions of higher education. The initial membership of the Commission and the term of each initial member is as follows:

"Section 3. Tenure—Vacancies.

"(A) Members of the Commission shall be selected for 9-year terms expiring on August 31 of the respective year. Of the initial appointees, however, the term of one member shall expire at the end of each year from the first through the ninth year. The respective terms of the members initially appointed shall be determined by the Governor at the time of making the appointment of each member.

"(B) The members of the Commission shall continue to serve after the expiration of their terms until their successors have been appointed and approved by the Senate. In the event that the number of Congressional Districts shall change, incumbents on the Commission shall complete their terms as members of the Commission."

"(C) Vacancies on the Commission and offices appointed by the Governor shall be filled by appointment by the Governor for the unexpired term. If the appointment is subject to Senate confirmation and the Senate is not in session or is in recess when the appointment is made, the appointee shall serve subject to subsequent Senate approval of the appointment.

"(D) Any person who serves for five or more years as a member of the Commission shall not be eligible for reappointment to succeed himself.

"Section 4. Organization and Meetings.

"The first meeting of the Commission shall be called by the Governor who shall preside until a chairman is selected. The Commission shall elect annually from its own members a chairman and such other officers as it may deem desirable and shall adopt rules for its organization in the conduct of its business.

"The Commission shall hold regular meetings at such times as are specified in its rules. Special or additional meetings may be held on call of the Chairman, or upon a call signed by at least six members, or upon call of the Governor. The Commission is encouraged to meet as often as seems desirable on the campuses of institutions of higher education in the State. The Commission shall meet at least twice during each calendar year. A majority of the members of the Commission shall constitute a quorum at all its meetings, but the recommendation of a new unit of instruction, research, or public service or a new public institution of higher education, as provided in Section 6, shall require the concurrence of a majority of all the members of the Commission.

"Members of the Commission shall serve without salary but shall be reimbursed for actual expenses incurred in the performance of their duties, plus thirty dollars for each day or part of a day spent on Commission business.

"The Commission shall appoint as its chief executive an experienced higher education administrator, preferably one who shall have served as president of a university. He shall be accorded amenities and perquisites commensurate with his position.

"This officer shall employ such professional and clerical staff and other assistants, including specialists and consultants, upon a full or part-time basis as are necessary to assist the Commission and the chief executive officer in performing the duties assigned by this Act. The number of employees, their compensation and emoluments, and other expenditures of the Commission shall be within the limits and in compliance with the appropriation made therefor by the Legislature and within budgets that shall be approved from time to time by the Commission.

"All fulltime professional and administrative staff personnel of the Commission shall be eligible to participate in the state teachers' retirement system.

"Section 5. Access to Pertinent Data. All institutions of higher learning receiving appropriations from the State of Alabama shall provide the Commission, upon request, all data necessary to the performance of its duties, shall appoint a liaison officer with the Commission staff, and shall provide this officer with personnel and facilities necessary for him to perform research and reporting as may be required by the Commission.

"Section 6. Duties and Powers. The Commission on Higher Education shall review continuously all existing programs of instruction, research, public service, and administration funded by state appropriation of all universities, colleges, and other post secondary school activities.

"It shall cause studies to be made for the purpose of classifying and defining the role and scope for each public institution of higher education in Alabama and to make such recommendations as may be necessary to accomplish a delineation of the mission of each institution.

"All plans for new programs, degrees, or other units of instruction which would entail additional public operational, maintenance, or capital funding and all proposals for new institutions, including junior colleges, and technical, vocational, or trade schools and any proposal to change the status, role and scope, or structure of any existing institution of higher education shall be submitted to the Commission for its study and recommendation to the Governor or to the Legislature.

"The Commission shall continuously review all existing programs and shall recommend action toward elimination of undesirable duplication and proliferation which involve unnecessary expenditure of public funds."

"Section 7. Budget Proposals and Recommendations.

The governing boards of the public institutions of higher education shall submit to the Commission through their appropriate administrative officers, not later than ninety days prior to each legislative session, its budget proposals for the operation and capital needs of the institution under its governance or supervision. The Commission shall receive, evaluate and coordinate budget requests for the public institutions of higher education of this State, shall hold open hearings on the budget requests of the separate institutions and shall present to each institution and to the Legislature, a single unified budget report containing budget recommendations for separate appropriations to each of the institutions. The consolidated budget and analysis of the Commission

shall be accompanied by the original requests and their justifications as submitted by each institution. The recommendations of the Commission may be based upon standard techniques of objective measurement, need and unit cost figures arrived at through the use of comparative and verified data secured from the various institutions, applied in an impartial and objective manner, and comparison shall be made not only between similar functions of institutions in Alabama but also between Alabama institutions and similar functions of institutions located in other states, provided that nothing herein shall be construed to prohibit any institution of higher education in this Sate from submitting any matter pertaining to the financial operation and needs of said institution to the Legislature or to the Governor at any time.

"Section 8. Other Powers and Duties of the Commission. The Commission is authorized:

"(a) To recommend to the Legislature of Alabama the enactment of such legislation as it deems necessary or desirable to insure the highest quality of higher education in this State taking into consideration the orderly growth and overall development of the State system of public higher education to meet trends in population and the change in social and technical requirements of the economy.

"(b) To advise and counsel the Governor, at his request, regarding any area of, or matter pertaining to, higher education.

"(c) To undertake state-wide planning for all programs which affect public and/or private post-secondary education and to undertake contractual arrangements for services to be performed in the interest of post secondary education in the State.

"(d) To submit to the Governor and the Legislature on or before the first day in May of each odd-numbered year a written report covering the activities of the Commission. The report shall include:

"(i) statements of the nature, progress or result of any studies undertaken or completed during the two calendar years which ended on December 31st of the last preceding even-numbered year;

"(ii) comments upon major developments, trends, new policies, budgets, and financial considerations which, in the judgment of the Commission, will be useful in planning a sound program of higher education; and

"(iii) recommendations respecting public higher education in this State as may be appropriate.

"(e) To make rules and regulations for its meetings, procedures and execution of the powers and duties delegated to it by this Act.

"(f) To cause studies to be made for the purpose of classifying and defining the role and scope for each public institution of higher education in Alabama and to make such recommendations as may be necessary to accomplish a delineation of the mission of each institution.

"(g) To develop and set forth a "Master Plan for High Education in Alabama."

"(h) To coordinate all plans and programs and budgetary matters having to do with the advancement of education in the medical and health sciences.

"Section 9. Relationship to Governing Boards. The governing boards of the public institutions of higher learning in this State shall retain all powers and duties conferred upon them by the Constitution and by laws which are not at variance with this Act. The Commission shall not be responsible for the internal operations or policies of any institution under such boards.

"The State Board of Education or other governing boards for junior colleges and other post-secondary educational institutions, including technical, vocational, or trade schools, and the State Superintendent of Education, as far as concerns governance and administration of those institutions of higher education, shall stand respectively in the same relationship to the Commission on Higher Education as do the university boards of trustees and the university presidents.

"Coordination among the institutions of higher learning in Alabama shall be effected through compliance with the provision of this Act and through utilization of councils of presidents or other councils as may be appropriate. Members of these councils shall be appointed by the presidents of the institutions involved as the boards of trustees shall determine.

"Section 10. Evaluating and Revising the Commission.

"Two years after the establishment of the Commission and during the last year of each gubernatorial term, the Commission shall appoint a committee of at least three consultants who are not associated with higher education in this State to evaluate the effectiveness of the work of the Commission and to recommend changes as needed. A report prepared by the committee shall be submitted to the Governor, the Legislature, the presidents and governing boards of the public institutions of higher education of this State and the public."

Section 2. Severability.

The provisions of the Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, be held unconstitutional or invalid, such holdings shall not affect any other section, paragraph, sentence, clause, provision, or other portion of this Act not in or of itself unconstitutional or invalid.

Section 3. Effective Date.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Messrs.:	Cherner	Ellis	Harris
Adams	Connell	Falkenburg	Headley
Barkett	Coshatt	Flippo	Hearn
Boles	Cross	Gafford	Hill
Boutwell	Dill	Gloor	Hobbie
Burgess	Doss	Goodwin	Jackson
Carnes	Downing	Grainger	Jones (E)
Carter	Drake	Gray (F)	King
Casey	Easters	Grey (D)	Lang
Cauthen	Edwards	Hale	Lutz

McBride	Parker (H)	Smith (K)	Stubbs
McDonald	Pruitt	Smith (P)	Therrell
Mathews	Reed (T)	Snell	Timmons
Merrill	Reid (R)	Stewart	Waldrop
Mims	Reynolds	Stokes	Weeks
Naramore	St. John	Straiton	Williams
Owens			—64

Mr. McDonald offered the following amendment to the bill, H. 179, as amended:

Amend Section 8 of the substitute for H. B. 179 by adding the following new subsection (d) after subsection (c), and renumbering subsequent subsections:

"(d) To establish definitions of a junior college, a senior college, a university and university system; provided, that nothing herein shall be construed as authorizing the Commission to establish or create any university system, nor to alter any university system presently existing."

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Downing	Hearn	Reed (T)
Adams	Drake	Hill	Reid (R)
Barkett	Easters	Hobbie	Reynolds
Boles	Edwards	Jackson	Robertson
Boutwell	Ellis	Jones (E)	St. John
Burgess	Erdreich	Jones (F)	Smith (K)
Carnes	Falkenburg	King	Smith (P)
Carter	Flippo	Lang	Snell
Casey	Gafford	Lutz	Stokes
Cauthen	Gloor	McBride	Straiton
Cherner	Goodwin	McDonald	Stubbs
Chesnut	Grainger	Mathews	Therrell
Connell	Gray (F)	Mims	Timmons
Cross	Grey (D)	Naramore	Wallace
Crowe	Hale	Owens	Weeks
Dill	Harris	Pruitt	Williams
Doss	Headley		—65

Mr. Ellis offered the following amendment to the bill, H. 179 as amended:

Amend H. B. 179 by inserting at end of Section 4 the following:

Said meetings shall be limited to twenty-four days annually.

And the amendment was adopted.

Yeas 60; Nays 7.

Yeas:

Messrs.:	Callahan	Cottingham	Ellis
Adams	Carnes	Cross	Falkenburg
Baker	Carter	Crowe	Flippo
Boutwell	Cauthen	Downing	Goodwin
Bowers	Chesnut	Drake	Grainger
Burgess	Connell	Edwards	Grey (D)

Hale	McBride	Reid (R)	Taylor	
Harris	McCorquodale	Reynolds	Therrell	
Headley	McDonald	St. John	Timmons	
Hill	May	Smith (K)	Waggoner	
Hobbie	Merrill	Snell	Waldrop	
Jackson	Mims	Stewart	Wallace	
Jones (F)	Naramore	Stokes	Warren	
King	Owens	Straiton	Weeks	
Lang	Reed (T)	Stubbs	Wise	
Lutz				—60

Nays:

Messrs.:	Dill	Easters	Gafford	
Barkett	Doss	Erdreich	Turnham	
				—7

MOTION TO POSTPONE H. 179 TABLED

Mr. Stewart offered a motion to postpone further consideration of the bill, H. 179, as amended, to the Twentieth Legislative Day.

On motion of Mr. McDonald, the motion offered by Mr. Stewart was tabled.

Yeas 38; Nays 22.

Yeas:

Messrs.:	Downing	Jackson	Smith (P)	
Adams	Edwards	Jones (F)	Snell	
Baker	Ellis	Lang	Stokes	
Boutwell	Erdreich	McBride	Taylor	
Carnes	Falkenburg	McCorquodale	Therrell	
Casey	Gafford	McDonald	Turnham	
Chesnut	Gloor	Owens	Waggoner	
Crowe	Goodwin	Reid (R)	Waldrop	
Dill	Grainger	Reynolds	Weeks	
Doss	Hale	St. John		—38

Nays:

Messrs.:	Crawford	King	Stewart	
Burgess	Cross	Lutz	Straiton	
Carter	Flippo	Manley	Stubbs	
Cauthen	Harris	Merrill	Timmons	
Connell	Headley	Mims	Wise	
Cottingham	Hobbie	Smith (K)		—22

Mr. McDonald offered the following amendment to the bill, H. 179 as amended:

Amend Section 8 of the substitute for H. B. 179 by adding the following new subsection (e) after subsection (d), and renumbering subsequent subsections:

"(e) To develop and publish criteria which may be used by the Legislature as a basis (i) for changing the classification of any public institution of higher education and (ii) for determining the need for new public junior colleges, public senior colleges, universities or university systems. Any proposed

statute which would establish an additional institution of higher education may be submitted, either prior to introduction or by the standing committee considering same to the Commission for its opinion as to the need of the State therefor, and the Commission shall report its findings to the Governor and the Legislature."

And the amendment was adopted.

Yeas 70; Nays 1.

Yeas:

Messrs.:	Crowe	Hearn	Roberts
Adams	Culver	Hill	St. John
Barkett	Dill	Hobbie	Smith (K)
Boles	Doss	Jackson	Smith (P)
Boutwell	Easters	Jones (E)	Snell
Bowers	Edwards	Jones (F)	Stewart
Burgess	Ellis	King	Stokes
Carnes	Erdreich	Lutz	Stubbs
Carter	Falkenburg	McBride	Therrell
Casey	Flippo	McCluskey	Timmons
Cauthen	Gafford	McCorquodale	Turnham
Cherner	Gloor	McDonald	Waggoner
Chesnut	Goodwin	Merrill	Waldrop
Connell	Grainger	Mims	Wallace
Coshatt	Grey (D)	Naramore	Weeks
Cottingham	Hale	Owens	Williams
Crawford	Harris	Reed (T)	Wise
Cross	Headley	Reynolds	—70

Nay: Mr. Downing —1

MOTION TO ADJOURN LOST

The motion of Mr. Baker that the House adjourn until 10:00 o'clock p. m., Friday, January 21, 1972, was lost.

Yeas 23; Nays 47.

Yeas:

Messrs.:	Chesnut	Erdreich	Merrill
Baker	Cottingham	Flippo	Owens
Burgess	Crawford	Goodwin	Reynolds
Callahan	Cross	Hobbie	Roberts
Carter	Culver	Manley	Therrell
Casey	Drake	Mathews	Turner

—23

Nays:

Messrs.:	Dill	Harris	McBride
Adams	Doss	Headley	McCluskey
Boutwell	Downing	Hearn	McCorquodale
Bowers	Easters	Jackson	McDonald
Carnes	Ellis	Jones (E)	Mims
Cherner	Gloor	Jones (F)	Naramore
Connell	Grainger	King	Reed (T)
Coshatt	Grey (D)	Lang	St. John
Crowe	Hale	Lutz	Smith (K)

Smith (P)	Stokes	Timmons	Waldrop
Snell	Stubbs	Turnham	Weeks
Stewart	Taylor	Waggoner	Wise

—47

MOTION TO POSTPONE H. 179 TABLED

Mr. Burgess offered a motion to postpone further consideration of the bill, H. 179 as amended, to the Twenty-first Legislative Day.

On motion of Mr. McDonald, the motion offered by Mr. Burgess was tabled.

Yeas 42; Nays 32.

Yeas:

Messrs.:	Crowe	Gray (F)	Reynolds
Adams	Doss	Hill	Roberts
Adwell	Easters	Jackson	St. John
Barkett	Edwards	King	Smith (P)
Boutwell	Ellis	Lang	Snell
Bowers	Erdreich	McBride	Stokes
Carnes	Falkenburg	McCluskey	Timmons
Carter	Flippo	McCorquodale	Turnham
Cherner	Gafford	McDonald	Waggoner
Connell	Goodwin	Owens	Weeks
Coshatt	Grainger	Reed (T)	

—42

Nays:

Messrs.:	Downing	Lutz	Stewart
Baker	Drake	Manley	Straiton
Benton	Grey (D)	May	Stubbs
Burgess	Hale	Merrill	Taylor
Chesnut	Headley	Naramore	Therrell
Cottingham	Hearn	Parker (H)	Waldrop
Crawford	Hobbie	Robertson	Wallace
Cross	Kinsey	Smith (K)	Wise
Culver			

—32

MOTION TO ADJOURN LOST

The motion of Mr. Cauthen that the House adjourn until 10:00 o'clock a. m., Friday, January 21, 1972, was lost.

Yeas 33; Nays 51.

Yeas:

Messrs.:	Cottingham	Hale	Parker (H)
Baker	Crawford	Harris	Pruitt
Benton	Cross	Hobbie	Roberts
Burgess	Culver	Kinsey	Robertson
Callahan	Downing	Manley	Smith (K)
Carter	Drake	Mathews	Straiton
Casey	Edwards	May	Therrell
Cauthen	Falkenburg	Merrill	Turner
Chesnut	Goodwin		

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Nays:

Messrs.:	Doss	Jones (F)	Smith (P)
Adams	Easters	King	Snell
Adwell	Ellis	Lang	Stewart
Barkett	Erdreich	Lutz	Stokes
Boles	Flippo	McBride	Stubbs
Boutwell	Grainger	McCluskey	Taylor
Bowers	Gray (F)	McCorquodale	Timmons
Carnes	Grey (D)	McDonald	Turnham
Cherner	Headley	Mims	Waggoner
Connell	Hearn	Naramore	Waldrop
Coshatt	Hill	Owens	Wallace
Crowe	Jackson	Reed (T)	Weeks
Dill	Jones (E)	St. John	Wise

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MOTION ADOPTED

The motion of Mr. Smith (P) to obtain special leave of the House for the Standing Committees of the House to sit during the reading at length of the bill, H. 179, was adopted.

Yeas 68; Nays 15.

Yeas:

Messrs.:	Doss	Jackson	St. John
Adams	Drake	Jones (E)	Smith (K)
Adwell	Easters	Jones (F)	Smith (P)
Barkett	Edwards	King	Snell
Benton	Ellis	Kinsey	Stewart
Boles	Erdreich	Lang	Stokes
Boutwell	Falkenburg	Lutz	Straiton
Bowers	Flippo	McCluskey	Taylor
Burgess	Goodwin	McCorquodale	Therrell
Carnes	Grainger	May	Timmons
Cauthen	Gray (F)	Meeks	Turner
Cherner	Grey (D)	Merrill	Turnham
Connell	Harris	Mims	Waldrop
Coshatt	Headley	Naramore	Wallace
Cottingham	Hearn	Reed (T)	Weeks
Crawford	Hill	Reynolds	Williams
Culver	Hobbie	Roberts	Wise
Dill			

—68

Nays:

Messrs.:	Chesnut	Gafford	Owens
Baker	Cross	McBride	Parker (H)
Callahan	Crowe	McDonald	Parker (T)
Carter	Downing	Manley	Robertson

—15

ADJOURNMENT

On motion of Mr. Cauthen, the House adjourned until 10:00 o'clock a. m., Friday, January 21, 1972.

Yeas 40; Nays 38.

Yeas:

Messrs.:			
Adwell	Crowe	Jackson	Parker (T)
Baker	Culver	Kinsey	Pruitt
Benton	Drake	McCorquodale	Reid (R)
Bowers	Edwards	Manley	Roberts
Callahan	Erdreich	Mathews	Robertson
Carter	Falkenburg	May	Smith (K)
Cauthen	Goodwin	Merrill	Straiton
Chesnut	Grey (D)	Mims	Therrell
Coshatt	Harris	Owens	Warren
Cross	Hearn	Parker (H)	Wise

—40

Nays:

Messrs.:			
Adams	Doss	King	Smith (P)
Barkett	Easters	Lang	Snell
Boles	Ellis	Lutz	Stewart
Boutwell	Flippo	McBride	Stubbs
Burgess	Grainger	McCluskey	Timmons
Carnes	Gray (F)	McDonald	Turner
Connell	Headley	O'Daniel	Turnham
Cottingham	Hill	Reed (T)	Waggoner
Crawford	Jones (E)	Reynolds	Weeks
	Jones (F)	St. John	

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TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Friday, January 21, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Fred Gray, member and Honorary Chaplain of the House of Representatives.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Callahan	Culver	Gloor
Adams	Carnes	Dill	Goodwin
Adwell	Carter	Doss	Grainger
Baker	Casey	Downing	Gray (F)
Bank	Cauthen	Drake	Grey (D)
Bassett	Cherner	Easters	Hardin
Benton	Chesnut	Edwards	Harris
Boles	Connell	Ellis	Headley
Boutwell	Coshatt	Erdreich	Hearn
Bowers	Cottingham	Falkenburg	Hobbie
Brassell	Cross	Fite	Jones (E)
Burgess	Crowe	Gafford	Jones (F)

King	Merrill	Robertson	Timmons
Kinsey	Mims	St. John	Turner
Lang	Naramore	Smith (K)	Turnham
Lutz	Owens	Smith (P)	Waggoner
McBride	Parker (H)	Snell	Waldrop
McCluskey	Parker (T)	Stewart	Wallace
McCorquodale	Perloff	Stokes	Warren
McDonald	Pruitt	Straiton	Weeks
Manley	Reed (T)	Stubbs	Williams
Mathews	Reynolds	Taylor	Wise
May	Roberts	Therrell	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the nineteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the nineteenth legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Connell, leave of absence was granted for Mr. Barkett due to illness in his family.

MOTION TO RE-REFER H. 320 LOST

The motion offered by Mr. Erdreich that the bill, H. 320, be re-referred from the Standing Committee on Intergovernmental Cooperation was lost.

LEAVE OF ABSENCE

On motion of Mr. Owens, leave of absence was granted for Mr. Jackson due to personal illness.

H. 305 RE-REFERRED

On motion of Mr. Jones (F) the bill, H. 305, was re-referred from the Standing Committee on Banking to the Standing Committee on State Administration.

LEAVES OF ABSENCE

Leaves of absence were granted for Messrs. O'Daniel and Agee due to illness.

BILLS ON SECOND READING

Mr. Weeks, Vice-Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and or-

dered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 337. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 361. To amend Act No. 698, S. 45, Regular Session 1969 (Acts 1969, p. 1252), which prohibits the exposing of obscene and harmful materials to persons eighteen years of age and older so as to exempt certain persons from the provisions of the act.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 275. (With Amendment): To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Mr. Bowers, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 330. To amend Act No. 47, H. 29 of the Regular Session of 1951 (Acts of 1951, v. 1, p. 259), as amended, which is known as the Alabama G. I. and Dependents' Educational Benefit Act, so as to provide for an extension of the time for initiating a course of instruction without the payment of tuition or fees for servicemen on active duty in the United States Armed Forces and stationed outside the State of Alabama during the period of his eligibility for benefits under this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 315. To authorize the sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 317. (With Amendment): Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide compensation for members of the county hospital board.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 364. To repeal Act No. 1389 of the 1971 Regular Session relating to counties having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 312. (With Substitute): To further amend Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, which relates to certain truck and truck tractor licenses.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 357. To provide for the qualifications of the superintendent of education in any county having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

H. 358. To regulate the compensation of county superintendents of education in counties having populations of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Williams:

H. 378. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

Local Legislation No. 1.

By Mr. Jones (F):

H. 379. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides maximum finance charges for loans and credit sales, and regulates extensions of credit.

Banking.

By Messrs. Wallace, Dill, Turnham, Timmons, Burgess, Parker(H), Narramore, Crowe, Cauthen, Jones (E) Boles, Ellis, Bowers, Waggoner, Williams, Grey (D), Goodwin, Drake, Waldrop, Hearn, Hale, St. John, King, Lutz, Grainger, Gray (F), Manley, Carter, Jones (F), Cross, Robertson, Weeks, Cherner, Adwell, Boutwell, McBride, McCorquodale,

Pruitt, Chesnut, Hobbie, Kinsey, Smith (P), Stewart, Lang, Wynot, Mims, McCluskey, Owens, Turner, Stokes, McDonald, May, Callahan, Smith (K), Snell, Connell, Bassett, Therrell, Warren, Cottingham, Harris, Edwards, Headley, Parker (T), Downing, Lyons, Easters, Taylor, Reynolds, Coshatt, Gloor, Carnes and Reed (T):

H. 380. To make a supplemental appropriation from the State General Fund to the Alabama Commission on Aging for the purpose of matching Federal Funds.

Commerce and Transportation.

By Messrs. Bassett and Hardin:

H. 381. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars.

Local Legislation No. 1.

BILLS ON THIRD READING

And the bill:

H. 301. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Having been postponed from the Nineteenth Legislative Day, was taken up.

S. 123 POSTPONED

On motion of Mr. Jones (F), the bill, S. 123, was postponed to the Twenty-first Legislative Day.

And the bill:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 50,000 nor more than 60,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Was taken up.

S. 145 POSTPONED

On motion of Mr. Connell, the bill, S. 145, was postponed to the Twenty-first Legislative Day.

And the bill:

H. 310. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, whose roads and bridges are constructed and maintained by the State Highway Department, forbidding the judge of probate to remit certain funds to the State Highway Department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

H. 311. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 6,836, nor more than 6,907.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

H. 325. Relating to all counties having a population of not less than 50,000 nor more than 52,500 inhabitants according to the most recent federal decennial census; to repeal any Act relating to such counties numbered Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

H. 348. To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Connell	Grainger	McCluskey
Adams	Coshatt	Gray (F)	McCorquodale
Baker	Cottingham	Grey (D)	McDonald
Bassett	Cross	Hardin	Manley
Benton	Crowe	Harris	May
Boles	Culver	Headley	Merrill
Boutwell	Dill	Hearn	Mims
Bowers	Doss	Hobbie	Naramore
Burgess	Downing	Jones (E)	Owens
Callahan	Easters	Jones (F)	Parker (H)
Carnes	Edwards	King	Parker (T)
Carter	Ellis	Kinsey	Perloff
Cauthen	Erdreich	Lang	Pruitt
Cherner	Gloor	Lutz	Reed (T)
Chesnut	Goodwin	McBride	Reynolds

Robertson	Stokes	Timmons	Wallace
St. John	Straiton	Turner	Warren
Smith (K)	Stubbs	Turnham	Weeks
Smith (P)	Taylor	Waggoner	Williams
Snell	Therrell	Waldrop	Wynot

—80

And the bill:

H. 349. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

H. 350. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Boles	Carnes	Connell
Adams	Boutwell	Carter	Coshatt
Baker	Bowers	Cauthen	Cottingham
Bassett	Burgess	Cherner	Cross
Benton	Callahan	Chesnut	Crowe

Culver	Headley	Merrill	Stokes
Dill	Hearn	Mims	Straiton
Doss	Hobbie	Naramore	Stubbs
Downing	Jones (E)	Owens	Taylor
Easters	Jones (F)	Parker (H)	Therrell
Edwards	King	Parker (T)	Timmons
Ellis	Kinsey	Perloff	Turner
Erdreich	Lang	Pruitt	Turnham
Gloor	Lutz	Reed (T)	Waggoner
Goodwin	McBride	Reynolds	Waldrop
Grainger	McCluskey	Robertson	Wallace
Gray (F)	McCorquodale	St. John	Warren
Grey (D)	McDonald	Smith (K)	Weeks
Hardin	Manley	Smith (P)	Williams
Harris	May	Snell	Wynot

—80

And the bill:

H. 319. To amend further Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certan counties classified on a population basis, amending such Act in relation to the powers of the board of directors of the authority relative to the handling of funds of the authority.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

And the bill:

H. 309. Relating to all counties having a population of not less than 12,000 nor more than 12,800 according to the most recent federal decennial census; to provide further for the pay of the coroner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Robertson
Adams	Dill	Kinsey	St. John
Baker	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Straiton
Bowers	Erdreich	McDonald	Stubbs
Burgess	Gloor	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Connell	Headley	Parker (T)	Wallace
Coshatt	Hearn	Perloff	Warren
Cottingham	Hobbie	Pruitt	Weeks
Cross	Jones (E)	Reed (T)	Williams
Crowe	Jones (F)	Reynolds	Wynot

—80

RESOLUTION

The following resolution introduced on the Nineteenth Legislative Day was read by title, pursuant to Joint Rule 12:

H. J. R. 110. CONGRATULATING JACK PALMER FOR WINNING THE NATIONAL PUNT, PASS AND KICK CONTEST

On motion of Mr. Gloor, the resolution, H. J. R. 110, was adopted en masse.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 179. To amend the title and Sections 1, 2, 4, 5, 6, 7, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969–1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

As amended on the Nineteenth Legislative Day, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 12.

Yeas:

Mr. Speaker	Adwell	Boles	Carnes
Adams	Bassett	Boutwell	Cauthen

Cherner	Grainger	McCorquodale	Snell
Connell	Gray (F)	McDonald	Stokes
Cottingham	Grey (D)	Mathews	Straiton
Crowe	Harris	Merrill	Stubbs
Culver	Headley	Mims	Taylor
Dill	Hearn	Owens	Timmons
Doss	Jones (E)	Parker (T)	Turner
Easters	Jones (F)	Perloff	Turnham
Edwards	King	Pruitt	Waggoner
Ellis	Kinsey	Reed (T)	Wallace
Erdreich	Lang	Reynolds	Warren
Falkenburg	Lutz	St. John	Williams
Gloor	McBride	Smith (K)	Wise
Goodwin	McCluskey	Smith (P)	Wynot

—64

Nays:

Messrs.:	Carter	Downing	Robertson
Baker	Coshatt	Manley	Therrell
Benton	Cross	Naramore	Waldrop
Burgess			

—12

MOTION TO SUSPEND RULES LOST

The motion of Mr. Turnham to suspend the rules in order to take up out of order the third reading of the bill, H. 300, was lost, lacking a four-fifths vote.

Yeas 52; Nays 26.

Yeas:

Mr. Speaker	Easters	McCluskey	Smith (P)
Adams	Edwards	McDonald	Snell
Baker	Goodwin	Mathews	Stokes
Bassett	Grainger	May	Straiton
Benton	Grey (D)	Merrill	Stubbs
Bowers	Hardin	Mims	Taylor
Burgess	Headley	Owens	Therrell
Chesnut	Hearn	Parker (T)	Turner
Connell	Hobbie	Perloff	Turnham
Cottingham	Jones (F)	Pruitt	Wallace
Crowe	King	Reed (T)	Warren
Culver	Kinsey	Reynolds	Williams
Downing	Lutz	Smith (K)	Wise

—52

Nays:

Messrs.:	Coshatt	Gloor	Parker (H)
Adwell	Cross	Gray (F)	St. John
Boutwell	Dill	Jones (E)	Timmons
Carnes	Doss	Lang	Waggoner
Carter	Ellis	McBride	Waldrop
Cauthen	Erdreich	Manley	Wynot
Cherner	Falkenburg	Naramore	

—26

BILLS ON THIRD READING RESUMED

And the bill:

S. 11. (With Amendment): Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a presumption as to the power of certain corporate officers; extending the effect of Section 58, of Act Number 414, Alabama Laws, Regular Session, 1959, dealing with the defense of ultra vires, to all corporations organized for private profit and giving retroactive effect to the provisions of this act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Senate Bill No. 11 by striking the Senate Amendment attached thereto.

And the amendment was adopted.

Yeas 51; Nays 13.

Yeas:

Messrs.:	Downing	Lutz	Smith (K)
Adams	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Bowers	Erdreich	McDonald	Stokes
Burgess	Falkenburg	Manley	Straiton
Callahan	Gafford	Merrill	Taylor
Cauthen	Grainger	Naramore	Therrell
Cherner	Gray (F)	Parker (T)	Timmons
Connell	Harris	Perloff	Turner
Coshatt	Hearn	Pruitt	Waggoner
Cottingham	Jones (E)	Reed (T)	Wallace
Dill	Jones (F)	Reynolds	Wise
Doss	King	St. John	Wynot

—51

Nays:

Mr. Speaker	Carnes	Crowe	Parker (H)
Adwell	Chesnut	Culver	Robertson
Baker	Cross	Mims	Stubbs
Boutwell			

—13

And the bill, S. 11, as thus amended, was read a third time at length and lost, lacking a two-thirds vote as required by the Constitution.

Yeas 45; Nays 23.

Yeas:

Messrs.:	Cherner	Falkenburg	Lutz
Adams	Coshatt	Grainger	McBride
Bassett	Cottingham	Gray (F)	McCluskey
Boutwell	Dill	Harris	McDonald
Bowers	Doss	Hearn	Merrill
Burgess	Downing	Jones (E)	Parker (T)
Callahan	Ellis	Jones (F)	Perloff
Cauthen	Erdreich	King	Pruitt

Reed (T)	Snell	Therrell	Wallace	
St. John	Stokes	Timmons	Wise	
Smith (K)	Straiton	Waggoner	Wynot	
Smith (P)	Taylor			—45

Nays:

Mr. Speaker	Connell	Grey (D)	Owens	
Baker	Cross	Headley	Reynolds	
Benton	Crowe	Kinsey	Robertson	
Boles	Culver	Manley	Stubbs	
Carnes	Easters	Mims	Williams	
Chesnut	Goodwin	Naramore		—23

And the bill:

S. 18. To further regulate the creation, exercise and termination of powers of attorney and to validate the exercise of certain powers of attorney now of record.

Was read a third time at length and lost.

Yeas 26; Nays 43.

Yeas:

Messrs.:	Doss	McBride	Reed (T)	
Boutwell	Erdreich	McCluskey	St. John	
Bowers	Falkenburg	McDonald	Smith (P)	
Burgess	Grainger	Merrill	Therrell	
Callahan	Gray (F)	Parker (T)	Timmons	
Cross	Hearn	Perloff	Waggoner	
Dill	Lutz	Pruitt		—26

Nays:

Mr. Speaker	Coshatt	Jones (F)	Stubbs	
Adams	Cottingham	King	Taylor	
Baker	Crowe	Kinsey	Turner	
Bassett	Downing	Lang	Turnham	
Benton	Easters	Mims	Waldrop	
Boles	Edwards	Naramore	Wallace	
Carnes	Ellis	Owens	Warren	
Carter	Grey (D)	Smith (K)	Williams	
Cauthen	Harris	Snell	Wise	
Chesnut	Headley	Stokes	Wynot	
Connell	Hobbie	Straiton		—43

RESOLUTION

The following resolution was introduced:

By Mr. Lutz:

H. R. 114. Be it resolved by the House of Representatives that House Bill 300 relating to the amendment of Title 51, Section 17, Code of Alabama, as last amended, be made the special order of the House to take precedence over all other business of the House.

And the resolution, H. R. 114, was read and referred to the Standing Committee on Rules.

RECESS

Mr. Merrill offered a motion that the House recess for ten minutes.

The substitute motion of Mr. Manley that the House adjourn until 12:00 o'clock noon, Tuesday, January 25, 1972, was lost.

Yeas 15; Nays 52.

Yeas:

Messrs.:	Carter	Erdreich	Naramore
Baker	Cauthen	Falkenburg	Parker (H)
Boutwell	Cherner	Grey (D)	St. John
Bowers	Chesnut	McBride	Stokes

—15

Nays:

Mr. Speaker	Crowe	King	Smith (P)
Adams	Downing	Kinsey	Snell
Adwell	Edwards	Lang	Straiton
Bassett	Ellis	Lutz	Stubbs
Benton	Gafford	McCluskey	Taylor
Boles	Grainger	McDonald	Therrell
Burgess	Gray (F)	May	Turner
Callahan	Harris	Merrill	Turnham
Carnes	Headley	Mims	Waldrop
Connell	Hearn	Owens	Wallace
Coshatt	Hobbie	Parker (T)	Warren
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Smith (K)	Wynot

—52

The question, then, was on the motion of Mr. Merrill that the House recess for ten minutes, and the motion was adopted.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, H. R. 114, and ordered same returned to the House with a favorable report.

On motion of Mr. Headley, the report of the Standing Committee on Rules on the resolution, H. R. 114, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 300. (With Substitute) (With Amendment): To further amend Title 51, Section 17, Code of Alabama 1940, as last amended, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed val-

ue to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Title 51, Section 17, Code of Alabama 1940, as last amended, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17, Title 51, Code of Alabama 1940, as amended, is hereby further amended to read as follows:

1. With respect to ad valorem taxes levied by the state, and, unless otherwise provided with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the State all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property:

CLASS I. All property of utilities used in the business of such utilities, 30%.

CLASS II. All property not otherwise classified, 25%.

CLASS III. All agricultural, forest and residential property, 15%.

2. As used herein:

(a) "all property of utilities" shall include all property assessed for taxation by the Department of Revenue pursuant to the provisions of Chapter 11, Title 51, Code of Alabama 1940, as amended;

(b) "all residential property" shall include real property used exclusively as a single-family dwelling by the owner thereof;

(c) "agricultural" and "forest" property shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur bearing animals, honeybees, and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof;

(d) "all property not otherwise classified" shall include all real and personal property which does not fall within one or both of Classes I or III.

3. Wherever any statute provides for, limits or measures the power or

authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes. Provided, however, that should the Constitutional Amendment being proposed by Act No. , H. 56, of the current session of the Legislature not be ratified and adopted all taxable property within the state shall be assessed at thirty percent of its fair and reasonable market value; in such event this act shall become effective thirty days after the date that the Secretary of State certifies that said amendment has not been ratified.

4. The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, educational or charitable purposes, also the property of Masonic Lodges, Knights of Columbus Homes, and Union Halls shall be exempt when used exclusively for the purpose and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

5. In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

County	Class I	Class II	Class III
Morgan	30%	20%	20%
Limestone	30%	20%	20%
Calhoun	30%	20%	20%
Etowah	33%	20%	20%
Barbour	30%	15%	15%
Geneva	30%	15%	15%
Coffee	30%	15%	15%
Pike	30%	15%	15%
Bullock	30%	15%	15%
Autauga	30%	15%	15%
Lowndes	30%	15%	15%
Butler	30%	15%	15%
Crenshaw	35%	15%	15%
Covington	35%	15%	15%
Franklin	35%	15%	15%
Lawrence	35%	15%	15%
Winston	30%	15%	15%
Marion	30%	15%	15%
Fayette	30%	15%	15%
Lamar	30%	15%	15%
Pickens	30%	15%	15%
Hale	30%	15%	15%
Greene	30%	15%	15%
Wilcox	30%	15%	15%
Clarke	30%	15%	15%
Conecuh	30%	15%	15%
Monroe	30%	15%	15%
Chambers	30%	25%	15%
Randolph	30%	15%	15%
Lee	30%	25%	20%
Dallas	30%	25%	15%

Perry	30%	15%	15%
Bibb	30%	15%	15%
Houston	30%	15%	15%
Dale	30%	15%	15%
Henry	30%	15%	15%
Jefferson	30%	25%	20%
Madison	30%	25%	20%
Clay	30%	15%	15%
Escambia	30%	15%	15%
Tallapoosa	35%	20%	15%
Baldwin	30%	15%	15%
Sumter	30%	15%	15%
Coosa	30%	20%	15%
Marengo	30%	15%	15%

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become law on its passage and approval by the Governor or its otherwise becoming law and shall become effective, except as provided in Item 3 of Section 1 hereof, upon the ratification and adoption of an amendment to the Constitution proposed by this session of the Legislature authorizing the classification of property for purposes of ad valorem taxation.

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Pruitt
Adams	Downing	King	St. John
Bassett	Easters	Kinsey	Smith (K)
Benton	Edwards	Lang	Smith (P)
Burgess	Ellis	Lutz	Snell
Carnes	Erdreich	McCluskey	Stokes
Carter	Falkenburg	Manley	Straiton
Cauthen	Gafford	Mathews	Stubbs
Cherner	Grainger	May	Taylor
Chesnut	Gray (F)	Merrill	Timmons
Connell	Grey (D)	Mims	Turner
Coshatt	Harris	Naramore	Warren
Cottingham	Headley	Owens	Williams
Cross	Hearn	Parker (H)	Wise
Crowe	Hobbie	Parker (T)	Wynot
Culver	Jones (E)	Perloff	—63

The question, then, was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend the substitute to House Bill 300 by inserting in Section 1., 4., after the words Union Halls the following words:

"Chambers of Commerce and Trade Associations"

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Smith (K)
Adams	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stokes
Boles	Falkenburg	McCorquodale	Straiton
Boutwell	Gafford	Manley	Stubbs
Bowers	Grainger	Mathews	Taylor
Burgess	Gray (F)	May	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Harris	Mims	Turnham
Cauthen	Headley	Naramore	Waggoner
Chesnut	Hearn	Owens	Waldrop
Connell	Hobbie	Parker (H)	Wallace
Coshatt	Jones (E)	Parker (T)	Warren
Cottingham	Jones (F)	Perloff	Williams
Crowe	King	Pruitt	Wise
Culver	Kinsey	St. John	Wynot
Dill			

—69

Mr. Callahan offered the following amendment to the bill, H. 300, as amended:

Amend H. B. 300, Section 1, Subsection 4, by deleting the reference to Union Halls.

AMENDMENT TABLED

On motion of Mr. Straiton, the amendment offered by Mr. Callahan was tabled.

Yeas 50; Nays 16.

Yeas:

Messrs.:	Culver	Jones (E)	Stokes
Adwell	Doss	Jones (F)	Straiton
Benton	Downing	Lang	Stubbs
Boles	Easters	McBride	Taylor
Boutwell	Edwards	Merrill	Therrell
Burgess	Ellis	Mims	Timmons
Carnes	Erdreich	Naramore	Turnham
Carter	Falkenburg	Owens	Waldrop
Connell	Gray (F)	Parker (H)	Wallace
Coshatt	Grey (D)	Perloff	Warren
Cottingham	Headley	St. John	Williams
Cross	Hearn	Smith (K)	Wynot
Crowe	Hobbie	Smith (P)	

—50

Nays:

Mr. Speaker	Cauthen	Gafford	Manley
Adams	Cherner	Harris	Pruitt
Baker	Chesnut	King	Snell
Callahan	Dill	Lutz	Wise

—16

Messrs. Stewart, Merrill, and Burgess offered the following amendment to the bill, H. 300, as amended:

Amend the substitute to House Bill 300 as amended by deleting from Section 1., 5., the following:

"Calhoun 30% 20% 20%"

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Culver	King	St. John
Adams	Dill	Kinsey	Smith (K)
Baker	Doss	Lang	Snell
Bassett	Downing	Lutz	Stewart
Benton	Easters	McBride	Stokes
Boles	Edwards	Manley	Straiton
Boutwell	Ellis	Mathews	Stubbs
Burgess	Falkenburg	May	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Cauthen	Grey (D)	Naramore	Turner
Chesnut	Harris	Owens	Wallace
Connell	Headley	Parker (H)	Warren
Coshatt	Hearn	Parker (T)	Williams
Cottingham	Hobbie	Perloff	Wise
Cross	Jones (E)	Pruitt	Wynot
Crowe	Jones (F)		

—66

Mr. Coshatt offered the following amendment to the bill, H. 300, as amended:

In Section 1 at the end of the table appearing as a part of paragraph 5, add the following as a part of such table:

St. Clair 35% 25% 15%

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	St. John
Adams	Culver	King	Smith (K)
Benton	Doss	Kinsey	Snell
Boles	Downing	Lang	Stewart
Boutwell	Easters	Lutz	Stokes
Bowers	Edwards	McBride	Straiton
Burgess	Erdreich	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Merrill	Turner
Cauthen	Grey (D)	Mims	Waldrop
Cherner	Harris	Naramore	Wallace
Chesnut	Headley	Owens	Warren
Connell	Hearn	Parker (H)	Williams
Coshatt	Hobbie	Perloff	Wise
Cottingham	Jones (E)	Pruitt	Wynot
Cross			

—65

Mr. Carter offered the following amendment to the bill, H. 300, as amended:

Amend House Bill 300, Section 1, Subsection 5, by inserting the following:

	Class I	Class II	Class III
Limestone County	30%	20%	15%

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (E)	Pruitt
Adams	Culver	Jones (F)	St. John
Bassett	Dill	King	Smith (K)
Benton	Downing	Kinsey	Snell
Boles	Easters	Lang	Stokes
Boutwell	Edwards	Lutz	Straiton
Bowers	Erdreich	McBride	Stubbs
Burgess	Falkenburg	Manley	Therrell
Callahan	Gafford	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Merrill	Waldrop
Cauthen	Grey (D)	Mims	Wallace
Chesnut	Harris	Naramore	Warren
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker (H)	Wise
Cottingham	Hobbie	Perloff	Wynot
Cross			—65

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Mr. Jones (F) moved to reconsider the vote by which the amendment offered by the Standing Committee on Ways and Means to the bill, H. 300, was adopted, and the motion was lost.

Yeas 31; Nays 34.

Yeas:

Messrs.:	Dill	King	Straiton
Baker	Ellis	Lutz	Stubbs
Boles	Falkenburg	McBride	Therrell
Callahan	Grey (D)	McDonald	Timmons
Chesnut	Harris	Parker (H)	Turnham
Cross	Headley	Parker (T)	Waggoner
Crowe	Jones (E)	Perloff	Waldrop
Culver	Jones (F)	Smith (K)	Wise
			—31

Nays:

Mr. Speaker	Connell	Kinsey	St. John
Adams	Cottingham	Manley	Smith (P)
Benton	Downing	May	Snell
Boutwell	Edwards	Merrill	Stokes
Bowers	Gafford	Mims	Turner
Carnes	Goodwin	Owens	Warren
Carter	Gray (F)	Pruitt	Williams
Cauthen	Hearn	Reynolds	Wynot
Cherner	Hobbie		—34

And the bill, H. 300, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 17.

Yeas:

Mr. Speaker	Crowe	Kinsey	Reynolds
Adams	Culver	Lang	St. John
Baker	Downing	Lutz	Smith (K)
Bassett	Easters	McCluskey	Smith (P)
Benton	Edwards	McCorquodale	Snell
Boutwell	Goodwin	McDonald	Stokes
Bowers	Grainger	Manley	Straiton
Burgess	Gray (F)	Mathews	Stubbs
Callahan	Grey (D)	May	Therrell
Carnes	Harris	Merrill	Turner
Carter	Headley	Mims	Turnham
Chesnut	Hearn	Owens	Warren
Connell	Hobbie	Parker (T)	Williams
Coshatt	Jones (F)	Perloff	Wise
Cottingham	King	Pruitt	Wynot
Cross			—61

Nays:

Messrs.:	Doss	Gloor	Parker (H)
Boles	Ellis	Jones (E)	Timmons
Cauthen	Erdreich	McBride	Waldrop
Cherner	Falkenburg	Naramore	Wallace
Dill	Gafford		—17

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until 2:00 o'clock p. m., Tuesday, January 25, 1972, was lost.

Yeas 37; Nays 39.

Yeas:

Messrs.:	Cottingham	King	Parker (H)
Baker	Dill	Lang	Parker (T)
Benton	Downing	Lutz	Perloff
Bowers	Falkenburg	McDonald	Pruitt
Burgess	Gafford	Manley	Reynolds
Callahan	Gray (F)	Mathews	Stokes
Carter	Grey (D)	Merrill	Therrell
Cauthen	Harris	Naramore	Timmons
Cherner	Headley	Owens	Wallace
Chesnut	Hearn		—37

Nays:

Mr. Speaker	Coshatt	Ellis	Kinsey
Adams	Cross	Erdreich	McBride
Bassett	Crowe	Gloor	McCluskey
Boles	Culver	Grainger	May
Boutwell	Doss	Hobbie	Mims
Carnes	Easters	Jones (E)	St John
Connell	Edwards	Jones (F)	Smith (K)

Smith (P)	Stubbs	Waggoner	Williams
Snell	Turner	Waldrop	Wynot
Straiton	Turnham	Warren	

—39

BILLS ON THIRD READING RESUMED

And the bill:

S. 20. To limit the duration of options to purchase land and the duration of notice of options heretofore or hereafter recorded.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (E)	Reynolds
Adams	Doss	Jones (F)	St. John
Baker	Downing	King	Smith (K)
Bassett	Easters	Lang	Smith (P)
Benton	Edwards	Lutz	Snell
Boutwell	Ellis	McBride	Stokes
Bowers	Erdreich	McCluskey	Straiton
Burgess	Falkenburg	McDonald	Stubbs
Carnes	Gafford	Manley	Therrell
Carter	Gloor	Mathews	Timmons
Cauthen	Goodwin	Merrill	Waggoner
Cherner	Grainger	Mims	Waldrop
Chesnut	Gray (F)	Naramore	Wallace
Connell	Grey (D)	Owens	Warren
Coshatt	Headley	Parker (T)	Williams
Cottingham	Hearn	Perloff	Wise
Cross	Hobbie	Pruitt	Wynot
Crowe			

—69

And the bill:

S. 21. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cherner	Erdreich	Lang
Adams	Chesnut	Falkenburg	Lutz
Baker	Connell	Gafford	McBride
Bassett	Coshatt	Goodwin	McCluskey
Benton	Cottingham	Grainger	Manley
Boles	Cross	Gray (F)	Mathews
Boutwell	Crowe	Grey (D)	Merrill
Bowers	Dill	Headley	Mims
Burgess	Doss	Hearn	Naramore
Callahan	Downing	Hobbie	Owens
Carnes	Easters	Jones (E)	Parker (T)
Carter	Edwards	Jones (F)	Perloff
Cauthen	Ellis	King	Pruitt

Reynolds	Snell	Timmons	Warren
Robertson	Stokes	Waggoner	Williams
St. John	Straiton	Waldrop	Wise
Smith (K)	Stubbs	Wallace	Wynot
Smith (P)	Therrell		

—70

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Jones (F) to suspend the rules in order to take up out of order the bill, H. 265, was adopted.

Yeas 57; Nays 7.

Yeas:

Mr. Speaker	Easters	Lang	Smith (K)
Adams	Edwards	Lutz	Smith (P)
Baker	Ellis	McCluskey	Snell
Bassett	Falkenburg	Manley	Stokes
Bowers	Goodwin	Mathews	Straiton
Burgess	Grainger	May	Stubbs
Carnes	Gray (F)	Merrill	Taylor
Carter	Grey (D)	Mims	Therrell
Chesnut	Harris	Naramore	Turner
Connell	Headley	Owens	Wallace
Coshatt	Hearn	Parker (H)	Warren
Cottingham	Hobbie	Pruitt	Williams
Cross	Jones (F)	Reynolds	Wise
Dill	Kinsey	St. John	Wynot
Downing			

—57

Nays:

Messrs.:	Doss	King	Timmons
Cherner	Erdreich	McBride	Waldrop

—7

CO-SPONSORS ADDED

All members voting "Yea" on the bill, H. 265, were added as co-sponsors.

And the bill:

H. 265. (With Amendment): To make appropriations from the Alabama Special Education Trust Fund in the State Treasury for the use and benefit of the Alabama Industrial School, Mt. Meigs, Alabama.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Health, said Committee amendment being as follows:

House Bill 265 is amended in Section 1 by deleting the sum "$188,000.00" and inserting in lieu therefor the sum "$75,000.00".

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Baker	Benton	Boutwell
Adams	Bassett	Boles	Bowers

Burgess	Falkenburg	McCluskey	Smith (K)
Carnes	Gafford	McCorquodale	Smith (P)
Carter	Gloor	McDonald	Snell
Cauthen	Goodwin	Manley	Stokes
Cherner	Grainger	Mathews	Straiton
Chesnut	Gray (F)	May	Stubbs
Connell	Grey (D)	Merrill	Taylor
Coshatt	Harris	Mims	Therrell
Cottingham	Headley	Naramore	Timmons
Cross	Hearn	Owens	Turner
Crowe	Hobbie	Parker (H)	Turnham
Dill	Jones (E)	Parker (T)	Waggoner
Doss	Jones (F)	Perloff	Waldrop
Downing	King	Pruitt	Wallace
Easters	Kinsey	Reed (T)	Warren
Edwards	Lang	Reynolds	Williams
Ellis	Lutz	Robertson	Wise
Erdreich	McBride	St. John	Wynot

—80

And the bill, H. 265, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	St. John
Adams	Downing	Lang	Smith (K)
Baker	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stokes
Boles	Erdreich	McCorquodale	Straiton
Boutwell	Falkenburg	McDonald	Stubbs
Bowers	Gafford	Manley	Taylor
Burgess	Gloor	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Merrill	Turner
Cauthen	Gray (F)	Mims	Turnham
Cherner	Grey (D)	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Connell	Headley	Parker (H)	Wallace
Coshatt	Hearn	Parker (T)	Warren
Cottingham	Hobbie	Pruitt	Williams
Cross	Jones (E)	Reed (T)	Wise
Crowe	Jones (F)	Reynolds	Wynot
Dill	King	Robertson	

—79

MOTION TO SUSPEND RULES

Mr. Straiton moved to suspend the rules in order to take up out of order the bill, H. 267.

ADJOURNMENT

On motion of Mr. Baker, the House adjourned until 2:00 o'clock p. m., Tuesday, January 25, 1972.

Yeas 39; Nays 35.

Yeas:

Messrs.:	Baker	Carter	Cherner
Adams	Bowers	Cauthen	Chesnut

Connell	Grainger	Manley	Pruitt
Coshatt	Gray (F)	Mathews	Reynolds
Cottingham	Grey (D)	May	St. John
Dill	Hearn	Merrill	Snell
Drake	King	Naramore	Stokes
Easters	Lang	Parker (H)	Stubbs
Gafford	Lutz	Parker (T)	Therrell
Goodwin	McDonald	Perloff	Timmons

—39

Nays:

Mr. Speaker	Downing	McBride	Turnham
Bassett	Edwards	McCluskey	Waggoner
Benton	Ellis	McCorquodale	Waldrop
Boles	Falkenburg	Mims	Wallace
Boutwell	Gloor	Robertson	Warren
Burgess	Headley	Smith (K)	Williams
Carnes	Jones (E)	Smith (P)	Wise
Cross	Jones (F)	Straiton	Wynot
Doss	Kinsey	Turner	

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TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, January 25, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Philip Black, Minister, Carriage Hills Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cottingham	Grey (D)	Mathews
Adams	Crawford	Hale	May
Adwell	Crowe	Hardin	Meeks
Baker	Culver	Harris	Merrill
Barkett	Dill	Headley	Mims
Bassett	Doss	Hearn	Naramore
Benton	Downing	Hill	O'Daniel
Boles	Drake	Hobbie	Owens
Boutwell	Easters	Jackson	Parker (T)
Bowers	Edwards	Jones (E)	Perloff
Brassell	Ellis	Jones (F)	Pruitt
Burgess	Erdreich	King	Reed (T)
Callahan	Falkenburg	Kinsey	Reid (R)
Carnes	Fite	Lang	Reynolds
Carter	Gafford	Lutz	Roberts
Casey	Gloor	McBride	Robertson
Chesnut	Goodwin	McCluskey	St. John
Connell	Grainger	McCorquodale	Slate
Coshatt	Gray (F)	Manley	Smith (K)

Smith (P)	Stubbs	Waggoner	Williams	
Snell	Taylor	Waldrop	Wise	
Stewart	Therrell	Wallace	Wood	
Stokes	Turner	Warren	Wynot	
Straiton	Turnham	Weeks		—95

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twentieth legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Stokes, leave of absence was granted for Mr. Nettles due to the illness of his wife.

On motion of Mr. Stokes, leave of absence was granted for Mr. Collins due to illness.

On motion of Mr. Carter, leave of absence was granted for Mr. Cross due to illness.

On motion of Mr. Gloor, leave of absence was granted for Mr. Cherner due to illness.

On motion of Mr. Hill, leave of absence was granted for Mr. Flippo due to the illness of his wife.

The Speaker granted leave of absence for Mr. McDonald due to illness.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 115. BE IT RESOLVED BY THE HOUSE That the following business in the order named be made special, paramount and continuing order of business, for the Twenty-first Legislative Day, taking precedence over any other business of the House:

1. Report of Standing Committees

2. Introduction of Bills and Resolutions

3. Adoption of resolutions of sympathy, commendation, and congratulations from the preceding day.

4. Uncontested Local Bills

5. Senate Messages

6. Messages from the Governor

H. B. 320. Page 21 To provide for presidential preferential primary elections.

H. B. 321. Page 21 Placing the names of candidates for president and vice-president on the ballot.

H. B. 322. Page 22 Amending the definition of a political party eligible to hold a primary election.

H. B. 302. Page 18 Alabama insurance holding company system regulating act.

H. B. 267 Page 17 Firemens pension bill.

H. B. 271 Page 11 Prison work release program.

H. B. 273 Page 12 Christmas furlough for prisoners.

H. B. 241 Page 6 Strip mining regulation.

H. B. 242 Page 7 Strip mining regulation.

H. B. 243 Page 8 Strip mining regulation.

H. B. 244 Page 9 Strip mining regulation.

H. B. 245 Page 10 Strip mining regulation.

On motion of Mr. Drake, the rules were suspended and the resolution, H. R. 115, was adopted.

Yeas 45; Nays 23.

Yeas:

Mr. Speaker	Edwards	Lang	Stokes
Adams	Fite	McCorquodale	Stubbs
Bassett	Gloor	May	Taylor
Benton	Hardin	Merrill	Therrell
Boles	Headley	Mims	Turner
Brassell	Hearn	Naramore	Turnham
Connell	Hobbie	O'Daniel	Wallace
Cottingham	Jackson	Owens	Warren
Crawford	Jones (E)	Robertson	Williams
Crowe	Jones (F)	Smith (K)	Wise
Downing	Kinsey	Snell	Wood
Drake			

—45

Nays:

Messrs.:	Doss	King	Parker (T)
Baker	Erdreich	Lutz	St. John
Boutwell	Falkenburg	McBride	Slate
Carnes	Grainger	Manley	Waldrop
Chesnut	Hale	Mathews	Weeks
Dill	Hill	Meeks	Wynot

—23

COMMISSION APPOINTMENTS

Pursuant to S. J. R. 2, Act 6, 1971 2nd Special Session and S. J. R. 24, Act No. 96, 1971 3rd Special Session of the Legislature of Alabama, the Lieutenant Governor and Presiding Officer of the Senate appointed the following additional members from the Senate to the Science, Engineering and Technology Study Commission: Messrs. Pelham and Owen.

The Speaker appointed the following members from the House of Representatives to the said Commission: Messrs. Stubbs, Headley, Hardin and Easters.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 316. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Chilton County, and the regulation of costs and charges of courts in said county.

The above bill was read a second time at length as required by the Constitution.

H. 381. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars.

S. 138. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting acts.

S. 153. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, to provide further for the compensation of members of boards of registrars in such counties.

S. 154. To repeal Act No. 290, H. 418, 1965 Regular Session, entitled, "An Act Relating to counties having populations of not less than 100,000 and not more than 115,000 according to the most recent federal decennial census; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties."

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 157. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where

such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 359. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

H. 354. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an additional legal stenographer for the District Attorney in certain counties classified on a population basis.

LEAVE OF ABSENCE

On motion of Mr. Robertson, leave of absence was granted for Mr. Bank due to illness.

RESOLUTION

The following resolution was introduced:

By Mr. Weeks:

H. J. R. 116. CONGRATULATING JOHN "BUBBER" TROTMAN FOR HIS ELECTION AS PRESIDENT OF THE AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION.

WHEREAS John "Bubber" Trotman of Montgomery was elected king of the American cowboys, assuming that role as President of the American National Cattlemen's Association at the close of its diamond anniversary meeting held in Denver; and

WHEREAS he is only the second president from east of the Mississippi to head this distinguished group in its 75-year history and at 44, he is one of the youngest presidents to serve the association; and

WHEREAS John "Bubber" Trotman by reason of his education, training, experience, innate abilities and temperament is admirably equipped to fill this esteemed administrative position and to cope with the ceaseless day-by-day problems of the American Cattlemen; and

WHEREAS many honors have come to him through the years. He is a graduate of Troy High School and Auburn University where he majored in Agriculture, was a member of the varsity football team, was a member of Phi Delta Theta and served as vice president of the "A" club. In 1960 he served as President of the Montgomery Cattlemen's Association and in 1966 he was elected President of the Alabama Cattlemen's Association. Since 1952 he has been active in the National Cattlemen's Association activities and was a national association regional vice president and has served as the association's executive vice president for the past two years; and

WHEREAS blessed with an almost inexhaustible supply of energy, boundless interests and a keen mind, John "Bubber" Trotman is one of the state's foremost cow-calf producers and is President of Trotman's Cattle

Company, which ships stocker and feeder cattle to cattlemen throughout the nation. His livestock operations are conducted on 4,800 acres in Montgomery and Pike Counties; and

WHEREAS the election of this outstanding Alabamian to this distinguished position was brought honor to the state and the Cattlemen's Association, which is composed of 13,221 members and is the largest such association in the country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends hearty congratulations to John "Bubber" Trotman for his election as president of the American National Cattlemen's Association and also offers congratulations to his wife, Ellen, and his four children.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to John "Bubber" Trotman.

CO-SPONSORS ADDED

All members voting "Yea" on the resolution, H. J. R. 116, were added as co-sponsors.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Weeks to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 116, was adopted.

And the resolution, H. J. R. 116, was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Easters	Jones (F)	Robertson
Adams	Edwards	King	St. John
Adwell	Ellis	Kinsey	Slate
Baker	Erdreich	Lang	Smith (K)
Barkett	Falkenburg	Lutz	Smith (P)
Bassett	Fite	McBride	Snell
Benton	Gafford	McCluskey	Stokes
Boles	Gloor	McCorquodale	Straiton
Boutwell	Goodwin	Manley	Stubbs
Brassell	Grainger	May	Therrell
Callahan	Gray (F)	Merrill	Turner
Carnes	Grey (D)	Mims	Turnham
Chesnut	Hale	Naramore	Waggoner
Connell	Hardin	O'Daniel	Waldrop
Cottingham	Harris	Owens	Wallace
Crawford	Headley	Parker (T)	Warren
Crowe	Hearn	Perloff	Weeks
Dill	Hill	Pruitt	Williams
Doss	Hobbie	Reed (T)	Wise
Downing	Jackson	Reid (R)	Wood
Drake	Jones (E)	Reynolds	—83

LEAVES OF ABSENCE

On motion of Mr. Falkenburg, leaves of absence were granted for Messrs. Parker (H) and Timmons due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jones(F):

H. J. R. 117. TO ADD A NEW MEMBER TO THE HEALTH STUDY COMMISSION CREATED BY ACT NO. 2226, S. J. R. 70, APPROVED OCTOBER 1, 1971, WHO SHALL BE A LICENSED CHIROPRACTOR APPOINTED BY THE ALABAMA STATE CHIROPRACTIC ASSOCIATION, INCORPORATED.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a licensed chiropractor, who shall be appointed by the Alabama State Chiropractic Association, Incorporated, shall be a member on the Health Study Commission created by Act No. 2226, S. J. R. 70, approved October 1, 1971, Regular Session of the Alabama Legislature 1971.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Jones (F) to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 117, was lost.

Yeas 29; Nays 21.

Yeas:

Messrs.:	Crawford	McCorquodale	Straiton	
Bassett	Downing	Merrill	Stubbs	
Boles	Easters	Mims	Therrell	
Brassell	Fite	Naramore	Waldrop	
Burgess	Headley	O'Daniel	Wallace	
Carnes	Hobbie	Robertson	Warren	
Connell	Jones (E)	Slate	Williams	
Cottingham	Jones (F)			—29

Nays:

Mr. Speaker	Grainger	Lang	Reynolds	
Chesnut	Gray (F)	Manley	St. John	
Dill	Grey (D)	Meeks	Smith (P)	
Falkenburg	Hale	Owens	Stokes	
Gloor	Hill	Perloff	Turner	
Goodwin				—21

And the resolution, H. J. R. 117, was read and referred to the Standing Committee on Rules.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 118. CONGRATULATING MIKE BRASWELL FOR WINNING THE NATIONAL PUNT, PASS AND KICK CONTEST.

WHEREAS the star of young Mike Braswell of Sylacauga has continued to rise and he recently won the eleven-year-old championship at the National Punt, Pass and Kick Contest held at the half-time of the Super Bowl game in New Orleans; and

WHEREAS it was the second year in a row for this tremendous young athlete to make it all the way through the competitive field for the National Punt, Pass and Kick Contest which is sponsored by the Ford Motor Company in conjunction with the National Football League; and

WHEREAS Mike worked long and hard to earn this coveted honor and had the aid and encouragement of his father, Mr. J. M. Braswell, who stayed many afternoons at the local high school field helping Mike practice for this national event; and

WHEREAS this Legislature wishes to express its admiration and great pride to Mike Braswell on this honored athletic achievement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it extends its jubilant congratulations to Mike Braswell for the National Punt, Pass and Kick Championship for eleven-year-olds and takes this opportunity to wish young Mike much success in the future.

BE IT FURTHER RESOLVED, That Mike and his parents, Mr. and Mrs. J. M. Braswell, are invited to visit the Capitol and the City of Montgomery during the present session of the Legislature, and the privilege of the floor of both houses is extended to him and his family.

On motion of Mr. McCluskey, the rules were suspended and the resolution, H. J. R. 118, was adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:
By Mr. Timmons:

H. 382. To amend Act No. 1407, S. B. 414, Regular Session 1971, approved September 16, 1971, known as the Controlled Substances Act for preventing drug abuse and drug dependence by revising its definitions.

Health.

By Mr. McCorquodale:

H. 383. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8 (I) of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

Ways and Means

By Mr. McCorquodale:

H. 384. To amend the Act proposed by H. B. 59 of the Third Special

Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8 (11) of such Act, so as to revise the qualifications of appraisers employed to appraise the property in each county.

Ways and Means.

By Mr. McCorquodale:

H. 385. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 6 of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

Ways and Means.

By Mr. McCorquodale:

H. 386. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 13 of such Act, as to the use of funds to pay the cost of appraisal systems.

Ways and Means.

By Mr. Perloff:

H. 387. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Local Legislation No. 3.

By Messrs. Jones (F) and Hobbie:

H. 388. To provide that the State Board of Education shall give credit for grades one through twelve to handicapped individuals who take home study, provided that they are taught by qualified instructors, or in the case of self-taught handicapped persons, who successfully complete certain tests or examinations.

Education.

By Mr. Perloff:

H. 389. To provide for supplementing the salaries of compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Local Legislation No. 3.

By Mr. Stubbs:

H. 390. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Local Legislation No. 1.

By Messrs. Gloor and Stubbs:

H. 391. To establish a Code of Ethics for members of the Legislature and provide for its enforcement; to establish legislative committees on standards and conduct and fix their powers and duties in connection with said code; and to provide civil and criminal penalties in connection with certain violations.

Judiciary.

By Mr. Lang:

H. 392. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Turner and Cottingham:

H. 393. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

Intergovernmental Cooperation.

By Mr. Connell:

H. 394. To amend Code of Alabama 1940, Title 48, Section 462, so as to provide that any person convicted of unlawfully riding on trains, buses or other public conveyances may be sentenced to imprisonment in the county jail or to hard labor for the county as well as being fined.

Judiciary.

By Mr. Jones (F):

H. 395. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides maximum finance charges for loans and credit sales, and regulates extensions of credit.

Agriculture.

By Mr. Jones (F):

H. 396. To amend Act No. 428 of the Regular Session of 1961, creating a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people, and not more than

180,000 people, and for municipalities in such counties having a population of 5,000 or more people, according to the last or any subsequent federal census. (Acts of 1961, Vol. 1, p. 456).

Local Legislation No. 4.

By Messrs. Hobbie and Jones (F):

H. 397. To authorize special leave with pay to state employees who serve as election officials at the polls during a primary or general election, and to allow such employees to retain their compensation for such service.

State Administration.

By Mr. Reid (R):

H. 398. Relating to counties having a population of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide that the county commission may provide, by unanimous vote, an additional expense allowance to members of the county commission.

Local Legislation No. 1.

By Mr. Jones (F):

H. 399. To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in such municipalities through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and co-

operate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Local Legislation No. 4.

By Mr. Kinsey:

H. 400. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, approved August 19, 1971, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Baldwin County to the list of counties to which the Act does not apply.

Local Legislation No. 1.

By Mr. Cherner:

H. 401. To propose an amendment to the Constitution of Alabama providing for an apportionment commission decenially to determine the size of the Alabama Legislature, within the limits herein prescribed; to apportion the membership thereof throughout the State; and to divide the State into districts for the respective purposes of electing members of the Senate and the House of Representatives of the Alabama Legislature, and Alabama's representatives in the House of Representatives of the United States Congress.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Cherner:

H. 402. To create a special apportionment commission for the sole purpose of apportioning the Legislature of Alabama on the basis of the 1970 federal decennial census; to provide for the appointment of members thereof and to define the powers and duties of such commission.

Constitution and Elections.

By Mr. Owens:

H. 403. To amend further Sections 304, 305, 306, 307, 308, 309, 310, 311, and 313 of Article 3, Chapter 10 of Title 28 of the Code of Alabama of 1940, as heretofore amended, relating to non-profit corporations for the establishment of plans for hospital and medical services, and to provide for the continuation of the existence of certain corporations.

Insurance.

By Mr. Casey:

H. 404. Relating to counties having a population of not less than 10,900 nor more than 11,500 inhabitants according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff; providing for deposit of fees in a Sheriff's Fund and providing for the use of such fund.

Local Legislation No. 1.

By Messrs. Harris, Jones (F) and Taylor:

H. 405. To amend Section 347 of Title 55, Code of Alabama 1940, relating to the composition of the boxing and wrestling commission.

State Administration.

By Mr. Stewart:

H. 406. To amend Section 7 of Act No. 606, S. 112, Regular Session, 1969, an Act to create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Judiciary.

By Mr. O'Daniel:

H. 407. To amend Act No. 51, H. 55 of the Third Special Session of 1971, approved December 13, 1971, entitled "An Act, Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this Act retroactive."

Local Legislation No. 1.

BILLS ON THIRD READING

And the bill:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Brassell	Culver	Erdreich
Adams	Carnes	Dill	Falkenburg
Adwell	Carter	Doss	Fite
Baker	Chesnut	Downing	Gafford
Barkett	Connell	Drake	Goodwin
Bassett	Coshatt	Easters	Grainger
Boles	Cottingham	Edwards	Gray (F)
Boutwell	Crawford	Ellis	Grey (D)

Hale	McBride	Parker (T)	Stokes
Hardin	McCluskey	Perloff	Straiton
Harris	McCorquodale	Pruitt	Stubbs
Headley	Manley	Reed (T)	Therrell
Hearn	Mathews	Reid (R)	Turner
Hill	May	Reynolds	Turnham
Jackson	Meeks	Robertson	Wallace
Jones (E)	Merrill	St. John	Warren
Jones (F)	Mims	Slate	Weeks
King	Naramore	Smith (K)	Williams
Lang	O'Daniel	Smith (P)	Wise
Lutz	Owens	Snell	Wood

—80

And the bill:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 50,000 nor more than 60,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Was taken up.

Mr. Connell offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to court houses, jails and public buildings in each county having a population of not less than 55,000 nor more than 65,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the pro-

ceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Intent. It is the intention of the Legislature by the passage of this Act to authorize each county in the state having a population of not less than 55,000 nor more than 65,000, according to the last or any subsequent federal decennial census (a) to acquire and construct off-street parking facilities in the vicinity of the county court house, the county jail or any county public building, and also (b) to finance the acquisition and construction of court houses, jails and public buildings and extension to or improvements of existing court houses, jails or public buildings, including off-street parking facilities, by the sale and issuance of the interest-bearing warrants of such county; and (c) to authorize any such county to refund any warrants issued hereunder. This Act shall be liberally construed in conformity with such intention.

Section 2. Definitions. Wherever used in this Act, unless a different meaning clearly appears in the context, the following terms shall be given the respective interpretations specified in this section:

"County" means each county in the State having a population of not less than 55,000 nor more than 65,000 according to the last or any subsequent federal decennial census.

"Governing Body" means the county commission or other governing body of a County.

"Facilities" means and includes all real and personal property required for the acquisition or construction of court houses, jails and public buildings, including the extension and improvement of existing court houses, jails and public buildings, and off-street parking facilities in the vicinity of any such court house, jail or public building.

Section 3. Authorization of Acquisition and Construction of Off-Street Parking Facilities. Each County shall have the power from time to time to acquire by purchase, condemnation, lease or otherwise any real property in the vicinity of the court house, jail or any county public building for use as an off-street parking area and to construct thereon any ramps, decks and facilities for a multi-deck, off-street parking facility.

Section 4. Authorization of Issuance of Warrants. Each County shall have the power from time to time to sell and issue, in addition to all other securities which it may now or hereafter be authorized to issue, interest-bearing warrants of such County for the purpose of paying all or any part of the costs to such County of acquiring or constructing any Facilities. Such warrants may be in such denomination or denominations, may have such maturity or maturities not exceeding 30 years from their date, may bear interest from their date at such rate or rates, payable at such time or times, may be payable at such place or places within or without the State of Alabama, may be sold at such time or times and in such manner, whether by public or private sale,

may be executed in such manner, and may contain such terms not in conflict with the provisions of this Act, all as the Governing Body of the County may provide in the proceedings in which the warrants are authorized to be issued. All such warrants shall evidence the general obligation indebtedness of the County, and the full faith and credit of the County shall be irrevocably pledged for the payment of the principal thereof and interest thereon. The proceeds derived from the sale of any such warrants shall be used solely for the purpose for which they are authorized to be issued, including the payment of any expenses incurred in connection with the issuance thereof.

Section 5. Special Pledges. The Governing Body of the County may, in its discretion, assign and specially pledge, for the payment of the principal of and interest on such warrants, so much as may be necessary for said payment of any one or more of the following (or any part thereof):

(a) The proceeds from the general annual ad valorem tax of one-half of one per cent which the County is authorized to levy without reference to the purpose thereof under the provisions of Section 215 of the Constitution of Alabama of 1901;

(b) The proceeds from the special annual ad valorem tax of one-fourth of one per cent which the County is authorized to levy for the erection, construction or maintenance of necessary public buildings, bridges or roads;

(c) The proceeds from any other tax (including any ad valorem tax and any privilege, license or excise tax) that at the time of the issuance of the said warrants may lawfully be used by the County for the payment of such principal and interest.

To the extent necessary and sufficient for making the payments in respect of which such pledge is made, any tax pledged pursuant to the provisions of this section shall constitute a trust fund or funds which shall be impressed with a lien in favor of the holders of the warrants to the payment of which such sums are pledged. In the event that more than one pledge should be made with respect to any tax the pledge of which is herein auhorized, then such pledges shall take precedence in the order in which they are made unless the proceedings making such pledge shall expressly provide that such pledge shall be on a parity with or subordinate to a subsequent pledge of such tax. All warrants for which the pledge authorized in this section may be made shall constitute preferred claims against that portion of the said tax or taxes to pledged, and shall have preference over any claims incurred by the County for any purpose whatsoever.

Section 6. Authorization of Refunding Warrants. Each County may in like manner from time to time issue refunding warrants, either by sale or by exchange, for the purpose of refunding a like or greater principal amount of warrants then outstanding which were issued under the provisions of this act and the interest thereon and paying any premium necessary to be paid to retire the outstanding warrants refunded thereby. The provisions of this act applicable to the warrants so refunded shall likewise be applicable to such refunding warrants.

Section 7. Warrants to be Legal Investments for Trust Funds. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian or one acting in any other fiduciary capacity may, in addition to any other investment powers, invest trust funds in warrants issued under the provisions of this act.

Section 8. Issuance of Warrants Deemed to Constitute Audit and Allowance of Claim. The issuance of warrants and any interest coupons applicable thereto pursuant to the provisions of this act and in accordance with the authorization of the Governing Body of the County shall be deemed to constitute an audit and allowance by the Governing Body of a claim in the aggregate principal amount of such warrants and interest coupons. No proof of registration or other audit or allowance of such claim shall be required and such warrants and interest coupons shall, from and after the date of their lawful issuance or delivery, as the case may be, be deemed to be allowed claims against the County and against any tax proceeds pledged therefor.

Section 9. Provisions Hereof Control. Insofar as the provisions of this act may be inconsistent with the provisions of any other law, the provisions of this act shall control, it being hereby specifically declared that the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended, shall not be applicable to the issuance, sale, execution, auditing or the approval or allowance for payment of the warrants or coupons issued under the provisions of this act. Such warrants and coupons shall, nevertheless, be budgeted for payment from the funds from which they are payable in the fiscal year of the County in which they mature or come due.

Section 10. Severability. If any clause or provision of this act shall be, or be declared to be, invalid, any such invalidity shall not affect any other clause or provision hereof that is not in itself invalid.

Section 11. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Robertson
Adams	Easters	Lutz	St. John
Adwell	Edwards	McBride	Slate
Baker	Ellis	McCluskey	Smith (K)
Bassett	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Straiton
Brassell	Gafford	May	Stubbs
Carnes	Gloor	Meeks	Therrell
Carter	Goodwin	Merrill	Turner
Chesnut	Grainger	Mims	Turnham
Connell	Gray (F)	Naramore	Waldrop
Coshatt	Grey (D)	O'Daniel	Warren
Cottingham	Hale	Owens	Weeks
Crawford	Hardin	Parker (T)	Williams
Culver	Headley	Perloff	Wise
Dill	Hearn	Reed (T)	Wood
Doss	Jackson	Reid (R)	Wynot
Downing	Jones (E)	Reynolds	

—75

And let the bill, S. 145, as thus amended, was read a third time at length and passed.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Erdreich	McCluskey	St. John
Adams	Falkenburg	McCorquodale	Slate
Baker	Fite	Manley	Smith (K)
Bassett	Gafford	Mathews	Smith (P)
Boutwell	Goodwin	May	Stokes
Brassell	Grainger	Meeks	Straiton
Carnes	Gray (F)	Merrill	Stubbs
Carter	Grey (D)	Mims	Therrell
Chesnut	Hale	Naramore	Turner
Connell	Hardin	O'Daniel	Turnham
Coshatt	Harris	Owens	Waldrop
Cottingham	Headley	Parker (T)	Wallace
Crawford	Hearn	Perloff	Warren
Culver	Hill	Pruitt	Weeks
Dill	Jackson	Reed (T)	Williams
Downing	Jones (F)	Reid (R)	Wise
Drake	King	Reynolds	Wood
Easters	Lutz	Robertson	Wynot
Edwards	McBride		—74

Nays: Messrs.: Benton and Kinsey —2

And the bill:

H. 315. To authorize the sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edwards	King	St. John
Adams	Ellis	Lang	Slate
Barkett	Erdreich	Lutz	Smith (K)
Bassett	Falkenburg	McBride	Smith (P)
Boles	Fite	McCluskey	Snell
Boutwell	Gloor	McCorquodale	Stokes
Brassell	Goodwin	Manley	Straiton
Carnes	Grainger	Mathews	Stubbs
Carter	Gray (F)	May	Therrell
Chesnut	Grey (D)	Meeks	Turner
Connell	Hale	Merrill	Turnham
Coshatt	Hardin	Naramore	Waggoner
Cottingham	Harris	O'Daniel	Waldrop
Crowe	Headley	Owens	Wallace
Culver	Hearn	Perloff	Weeks
Dill	Hill	Pruitt	Williams
Downing	Jackson	Reed (T)	Wise
Drake	Jones (E)	Reid (R)	Wynot
Easters	Jones (F)	Reynolds	—75

And the bill:

H. 317 (With Amendment). Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent

federal decennial census; to provide compensation for members of the county hospital board.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 317, Section 1 by striking the words "general fund of the county" and insert in lieu therefor "Chilton County Hospital Board Fund."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Robertson
Adams	Easters	Lang	St. John
Adwell	Edwards	Lutz	Slate
Baker	Ellis	McBride	Smith (K)
Barkett	Erdreich	McCluskey	Smith (P)
Bassett	Falkenburg	Manley	Snell
Boles	Fite	Mathews	Stokes
Boutwell	Gloor	May	Straiton
Brassell	Goodwin	Meeks	Stubbs
Callahan	Grainger	Merrill	Therrell
Carnes	Gray (F)	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Chesnut	Hale	O'Daniel	Waggoner
Connell	Hardin	Owens	Waldrop
Coshatt	Harris	Parker (T)	Wallace
Cottingham	Headley	Perloff	Warren
Crawford	Hearn	Pruitt	Weeks
Crowe	Hill	Reed (T)	Williams
Culver	Jackson	Reid (R)	Wise
Dill	Jones (E)	Reynolds	Wynot
Downing	Jones (F)		

—82

And the bill, H. 317, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Grainger	McCluskey
Adams	Crowe	Gray (F)	Manley
Adwell	Culver	Grey (D)	Mathews
Barkett	Dill	Hale	May
Bassett	Doss	Hardin	Merrill
Benton	Downing	Harris	Mims
Boles	Drake	Headley	Naramore
Boutwell	Easters	Hearn	O'Daniel
Brassell	Edwards	Hill	Owens
Callahan	Ellis	Jackson	Parker (T)
Carnes	Erdreich	Jones (E)	Perloff
Carter	Falkenburg	Jones (F)	Pruitt
Chesnut	Fite	King	Reed (T)
Connell	Gafford	Lang	Reid (R)
Coshatt	Gloor	Lutz	Reynolds
Cottingham	Goodwin	McBride	Robertson

St. John	Stokes	Turnham	Weeks	
Slate	Straiton	Waldrop	Williams	
Smith (K)	Stubbs	Wallace	Wise	
Smith (P)	Therrell	Warren	Wynot	
Snell	Turner			—82

And the bill:

H. 364. To repeal Act No. 1389 of the 1971 Regular Session relating to counties having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reid (R)	
Adams	Doss	Jones (E)	Reynolds	
Adwell	Downing	Jones (F)	St. John	
Baker	Drake	King	Slate	
Barkett	Easters	Lang	Smith (K)	
Bassett	Edwards	Lutz	Smith (P)	
Benton	Ellis	McBride	Snell	
Boles	Erdreich	McCluskey	Stokes	
Boutwell	Falkenburg	McCorquodale	Straiton	
Brassell	Fite	Manley	Stubbs	
Burgess	Gloor	May	Therrell	
Callahan	Goodwin	Meeks	Turnham	
Carnes	Grainger	Merrill	Waggoner	
Carter	Gray (F)	Mims	Waldrop	
Chesnut	Grey (D)	Naramore	Wallace	
Connell	Hale	O'Daniel	Warren	
Coshatt	Hardin	Parker (T)	Weeks	
Cottingham	Harris	Perloff	Williams	
Crawford	Headley	Pruitt	Wise	
Crowe	Hearn	Reed (T)	Wynot	
Culver	Hill			—82

And the bill:

H. 357. To provide for the qualifications of the superintendent of education in any county having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill	
Adams	Boutwell	Connell	Doss	
Adwell	Brassell	Coshatt	Downing	
Baker	Burgess	Cottingham	Drake	
Barkett	Callahan	Crawford	Easters	
Bassett	Carnes	Crowe	Edwards	
Benton	Carter	Culver	Ellis	

Erdreich	Jones (E)	Owens	Straiton
Falkenburg	King	Perloff	Stubbs
Fite	Lang	Reed (T)	Therrell
Goodwin	Lutz	Reid (R)	Turnham
Grainger	McBride	Reynolds	Waggoner
Gray (F)	McCluskey	Robertson	Waldrop
Grey (D)	McCorquodale	St. John	Wallace
Hale	Manley	Slate	Warren
Hardin	May	Smith (K)	Weeks
Headley	Merrill	Smith (P)	Williams
Hearn	Mims	Snell	Wise
Hill	Naramore	Stokes	Wynot
Jackson	O'Daniel		—78

And the bill:

H. 358. To regulate the compensation of county superintendents of education in counties having populations of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Robertson
Barkett	Easters	Lang	St. John
Benton	Edwards	Lutz	Slate
Boles	Ellis	McBride	Smith (K)
Boutwell	Erdreich	Manley	Smith (P)
Brassell	Falkenburg	May	Snell
Callahan	Gafford	Merrill	Stubbs
Carnes	Goodwin	Mims	Turnham
Carter	Grainger	Naramore	Waggoner
Connell	Gray (F)	O'Daniel	Wallace
Coshatt	Grey (D)	Owens	Warren
Cottingham	Hale	Parker (T)	Weeks
Crowe	Hardin	Perloff	Williams
Culver	Hearn	Pruitt	Wise
Doss	Hill	Reid (R)	Wood
Downing	Jones (E)	Reynolds	Wynot

—64

SPECIAL ORDER

The house proceeded to the consideration of the Special Order.

And the bill:

H. 320. To provide for presidential preferential primary elections; to require all political parties which elect to hold primary elections for nomination of state, district, or federal officers to hold such presidential preferential primary elections; to provide for the conduct of such elections; to provide for the selection of candidates for such election; to provide for the selection of convention delegates by such presidential preferential primary election; to provide for the form of ballot for such primary and to prohibit certain political parties from selecting delegates to national political conventions under certain circumstances.

Was taken up.

Mr. Turner offered the following amendment #1 to the bill:

Amend House Bill 320 Section 10 to delete the word "majority" where it appears and substitute the word "plurality" in every place where the word "majority" is found.

And the amendment was adopted.

Yeas 60; Nays 12.

Yeas:

Mr. Speaker	Downing	Lang	Slate
Adams	Drake	McCorquodale	Smith (K)
Barkett	Easters	Mathews	Smith (P)
Bassett	Edwards	Meeks	Snell
Benton	Falkenburg	Merrill	Straiton
Boles	Fite	Mims	Stubbs
Brassell	Gloor	Naramore	Therrell
Burgess	Goodwin	O'Daniel	Turner
Callahan	Grey (D)	Owens	Turnham
Carter	Hardin	Perloff	Waggoner
Connell	Headley	Pruitt	Warren
Coshatt	Hearn	Reid (R)	Williams
Cottingham	Hill	Reynolds	Wise
Crawford	Hobbie	Robertson	Wood
Culver	Jackson	St. John	Wynot

—60

Nays:

Messrs.:	Doss	Hale	McBride
Boutwell	Erdreich	King	Stokes
Carnes	Grainger	Lutz	Waldrop
Dill			

—12

Mr. Turner offered the following amendment #2 to the bill, H. 320, as amended:

Amend House Bill 320, Section 13, to delete the third paragraph of such Section and to substitute the following paragraph in its place:

"The provisions of Title 17, Section 366, Code of Alabama, 1940, as amended, and all other provisions of law which require a candidate to receive a majority of the votes cast in a primary election shall not apply to presidential preferential primary elections held under the provisions of this Act."

And the amendment was adopted.

Yeas 63; Nays 6.

Yeas:

Mr. Speaker	Callahan	Downing	Goodwin
Adams	Carnes	Drake	Grainger
Barkett	Connell	Easters	Grey (D)
Bassett	Coshatt	Edwards	Hale
Benton	Cottingham	Ellis	Hardin
Brassell	Crawford	Falkenburg	Harris
Burgess	Culver	Fite	Headley

Hill	Merrill	St. John	Turner	
Hobbie	Mims	Slate	Turnham	
Jackson	Naramore	Smith (K)	Waggoner	
Jones (F)	O'Daniel	Smith (P)	Warren	
King	Owens	Snell	Weeks	
Lang	Perloff	Straiton	Williams	
Lutz	Reid (R)	Stubbs	Wise	
Manley	Reynolds	Taylor	Wood	
Mathews	Robertson	Therrell		—63

Nays:

Messrs.:	Dill	Erdreich	Wynot	
Boutwell	Doss	McBride		—6

MOTION TO CARRY OVER H. 320 TABLED

Mr. Waldrop offered the motion that the bill, H. 320, as amended, be carried over for thirty minutes.

On motion of Mr. Turner, the motion of Mr. Waldrop was tabled.

Yeas 42; Nays 38.

Yeas:

Mr. Speaker	Culver	Kinsey	Smith (K)	
Adwell	Downing	McCorquodale	Snell	
Barkett	Drake	Mathews	Stubbs	
Bassett	Easters	Merrill	Therrell	
Benton	Edwards	Mims	Turner	
Brassell	Fite	Naramore	Turnham	
Burgess	Hardin	O'Daniel	Waggoner	
Callahan	Headley	Owens	Warren	
Connell	Hearn	Pruitt	Williams	
Cottingham	Hobbie	Robertson	Wise	
Crawford	Jackson			—42

Nays:

Messrs.:	Doss	King	St. John	
Adams	Erdreich	Lutz	Slate	
Baker	Falkenburg	McBride	Smith (P)	
Boutwell	Gafford	McCluskey	Stewart	
Carnes	Goodwin	Manley	Stokes	
Carter	Grainger	Meeks	Taylor	
Chesnut	Gray (F)	Parker (T)	Waldrop	
Coshatt	Hale	Perloff	Wood	
Crowe	Harris	Reed (T)	Wynot	
Dill	Hill	Reid (R)		—38

RECESS

On motion of Mr. Lyons, the House recessed for fifteen minutes.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Adwell	Barkett	Benton
Adams	Baker	Bassett	Boles

Boutwell	Fite	McBride	Smith (K)	
Brassell	Goodwin	McCluskey	Snell	
Burgess	Grainger	Manley	Stewart	
Callahan	Gray (F)	Mathews	Stokes	
Carnes	Grey (D)	May	Straiton	
Carter	Hale	Meeks	Stubbs	
Chesnut	Hardin	Merrill	Taylor	
Connell	Harris	Mims	Therrell	
Coshatt	Headley	Naramore	Turnham	
Crawford	Hearn	O'Daniel	Waggoner	
Crowe	Hobbie	Owens	Waldrop	
Dill	Jackson	Parker (T)	Wallace	
Downing	Jones (E)	Pruitt	Warren	
Drake	Jones (F)	Reed (T)	Weeks	
Easters	King	Reid (R)	Wise	
Edwards	Kinsey	Robertson	Wood	
Ellis	Lang	St. John	Wynot	
Falkenburg	Lutz	Slate		—79

Nays:

Messrs.:	Hill	Turner	Williams	
Cottingham				—4

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

H. 320 RESUMED

Mr. Waldrop offered the following amendment to the bill as amended:

Delete present Sections 8, 9 and 10 entirely and renumber present sections 11, 12 and 13 to be new Sections 8, 9 and 10 respectively.

Renumber present Section 14 to be Section 11 and amend said Section as follows:

Delete the first sentence therof and delete the word "not" in line 7 thereof.

Add the following paragraph at the end thereof:

Delegates to national conventions shall be selected in such manner as may be prescribed by each political party, provided, however, that such delegates shall submit affidavits to the Secretary of State that they will vote for the candidate who wins the presidential preferential primary provided for in this act on the first two ballots held at national convention and so long as such candidate received 15% of the votes cast in the last preceding ballot.

Delete present Sections 15 and 16 entirely and renumber present Sections 17, 18 and 19 to be new Section 12, 13 and 14 respectively.

MOTION TO TABLE LOST

The motion of Mr. Turner to table the amendment offered by Mr. Waldrop was lost.

Yeas 40; Nays 44.

Yeas:

Mr. Speaker	Downing	Kinsey	Pruitt
Barkett	Drake	Lang	Reynolds
Bassett	Easters	McCorquodale	Snell
Benton	Edwards	Manley	Stubbs
Burgess	Fite	Mathews	Therrell
Callahan	Hardin	Merrill	Turner
Connell	Headley	Mims	Turnham
Cottingham	Hobbie	Naramore	Warren
Crawford	Jackson	Owens	Williams
Culver	Jones (F)	Perloff	Wood

—40

Nays:

Messrs.:	Doss	Harris	St. John
Adams	Ellis	Hill	Slate
Baker	Erdreich	Jones (E)	Smith (K)
Boles	Falkenburg	King	Smith (P)
Boutwell	Gafford	Lutz	Stewart
Carnes	Gloor	McBride	Stokes
Carter	Goodwin	McCluskey	Taylor
Casey	Grainger	Meeks	Waggoner
Chesnut	Gray (F)	Parker (T)	Waldrop
Coshatt	Grey (D)	Reed (T)	Weeks
Crowe	Hale	Reid (R)	Wynot
Dill			

—44

The question, then, was on the adoption of the amendment offered by Mr. Waldrop to the bill, H. 320 as amended, and the amendment was lost.

Yeas 43; Nays 45.

Yeas:

Messrs.:	Doss	Hale	Reid (R)
Adams	Edwards	Harris	St. John
Baker	Ellis	Hill	Slate
Boles	Erdreich	Jones (E)	Smith (P)
Boutwell	Falkenburg	King	Stewart
Carnes	Gafford	Lutz	Stokes
Carter	Gloor	McBride	Taylor
Casey	Goodwin	McCluskey	Waggoner
Chesnut	Grainger	Meeks	Waldrop
Coshatt	Gray (F)	Parker (T)	Weeks
Dill	Grey (D)	Reed (T)	Wynot

—43

Nays:

Mr. Speaker	Connell	Fite	Lang
Adwell	Cottingham	Hardin	McCorquodale
Barkett	Crawford	Headley	Manley
Bassett	Crowe	Hearn	Mathews
Benton	Culver	Hobbie	Merrill
Brassell	Downing	Jackson	Mims
Burgess	Drake	Jones (F)	Naramore
Callahan	Easters	Kinsey	Owens

Perloff	Snell	Therrell	Warren
Pruitt	Straiton	Turner	Williams
Reynolds	Stubbs	Turnham	Wood
Smith (K)			—45

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Slate, the rules were suspended in order to allow Mr. Doss another ten minutes to speak on H. 320.

Yeas 62; Nays 11.

Yeas:

Mr. Speaker	Doss	Jones (F)	St. John
Adams	Downing	King	Slate
Adwell	Drake	Kinsey	Smith (K)
Baker	Easters	Lutz	Smith (P)
Barkett	Ellis	McBride	Snell
Boles	Erdreich	McCluskey	Stokes
Boutwell	Goodwin	McCorquodale	Straiton
Carnes	Grainger	Naramore	Taylor
Casey	Gray (F)	Owens	Turnham
Chesnut	Hale	Parker (T)	Waldrop
Connell	Harris	Perloff	Wallace
Coshatt	Hearn	Pruitt	Weeks
Crawford	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wood
Culver	Jackson	Robertson	Wynot
Dill	Jones (E)		—62

Nays:

Messrs.:	Fite	Lang	Stewart
Burgess	Grey (D)	Merrill	Stubbs
Cottingham	Headley	Reynolds	Turner
			—11

Mr. Waldrop offered the following amendment to the bill, H. 320 as amended:

Delete present Sections 8, 9 and 10 entirely and renumber present sections 11, 12 and 13 to be new Sections 8, 9 and 10 respectively.

Renumber present Section 14 to be Section 11 and amend said Section as follows:

Delete the first sentence thereof and delete the word "not" in line 7 thereof.

Add the following paragraph at the end thereof:

Delegates to national conventions shall be selected in such manner as may be prescribed by each political party, provided, however, that such delegates shall submit affidavits to the Secretary of State that they will vote for the candidate who wins the presidential preferential primary provided for in this act on the first two ballots held at national convention and so long as such candidate received 15% of the votes cast in the last preceding ballot.

Delete present Sections 15 and 16 entirely and renumber present Sections 17, 18 and 19 to be new Section 12, 13 and 14 respectively.

AMENDMENT TABLED

On motion of Mr. Turner, the amendment offered by Mr. Waldrop was tabled.

Yeas 47; Nays 41.

Yeas:

Mr. Speaker	Crawford	Kinsey	Robertson
Adams	Culver	Lang	Snell
Adwell	Downing	McCorquodale	Stewart
Barkett	Drake	Manley	Stubbs
Bassett	Easters	Mathews	Therrell
Benton	Edwards	Merrill	Turner
Brassell	Fite	Mims	Turnham
Burgess	Hardin	Naramore	Wallace
Callahan	Headley	Owens	Warren
Casey	Hobbie	Perloff	Williams
Connell	Jackson	Pruitt	Wood
Cottingham	Jones (F)	Reynolds	—47

Nays:

Messrs.:	Ellis	Hill	Slate
Baker	Erdreich	King	Smith (K)
Boles	Falkenburg	Lutz	Smith (P)
Boutwell	Gafford	McBride	Stokes
Carnes	Gloor	McCluskey	Straiton
Carter	Goodwin	Meeks	Taylor
Chesnut	Grainger	Parker (T)	Waggoner
Coshatt	Gray (F)	Reed (T)	Waldrop
Crowe	Grey (D)	Reid (R)	Weeks
Dill	Hale	St. John	Wynot
Doss	Harris		—41

MOTION TO POSTPONE H. 320 TABLED

Mr. Hill offered the motion that the bill, H. 320, as amended, be postponed to the next Legislative Day following January 29, 1972.

On motion of Mr. Turner, the motion of Mr. Hill was tabled.

Yeas 50; Nays 38.

Yeas:

Mr. Speaker	Culver	Kinsey	Smith (K)
Adwell	Downing	Lang	Snell
Barkett	Drake	McCorquodale	Straiton
Bassett	Easters	Mathews	Stubbs
Benton	Edwards	Merrill	Therrell
Brassell	Fite	Mims	Turner
Burgess	Gloor	Naramore	Turnham
Callahan	Hardin	Owens	Waggoner
Casey	Headley	Perloff	Warren
Connell	Hearn	Pruitt	Williams
Cottingham	Hobbie	Reynolds	Wise
Crawford	Jackson	Robertson	Wood
Crowe	Jones (F)		—50

Nays:

Messrs.:	Doss	Jones (E)	St. John	
Adams	Ellis	King	Slate	
Baker	Erdreich	Lutz	Smith (P)	
Boles	Falkenburg	McBride	Stewart	
Boutwell	Gafford	McCluskey	Stokes	
Carnes	Grainger	Manley	Taylor	
Carter	Gray (F)	Meeks	Waldrop	
Chesnut	Hale	Parker (T)	Weeks	
Coshatt	Harris	Reed (T)	Wynot	
Dill	Hill	Reid (R)		—38

And the bill, H. 320 as thus amended, was read a third time at length and lost, lacking a two-thirds vote.

Yeas 50; Nays 35.

Yeas:

Mr. Speaker	Downing	Lang	Smith (K)	
Barkett	Easters	McCorquodale	Straiton	
Bassett	Edwards	Mathews	Stubbs	
Benton	Fite	May	Therrell	
Brassell	Goodwin	Merrill	Turner	
Burgess	Grey (D)	Mims	Turnham	
Callahan	Hardin	Naramore	Waggoner	
Casey	Headley	Owens	Wallace	
Connell	Hearn	Perloff	Warren	
Cottingham	Hobbie	Pruitt	Williams	
Crawford	Jackson	Reynolds	Wise	
Crowe	Jones (F)	Robertson	Wood	
Culver	Kinsey			—50

Nays:

Messrs.:	Doss	Hill	St. John	
Adams	Drake	King	Slate	
Baker	Erdreich	Lutz	Smith (P)	
Boutwell	Falkenburg	McBride	Snell	
Carnes	Gafford	Manley	Stewart	
Carter	Grainger	Meeks	Stokes	
Chesnut	Gray (F)	Parker (T)	Taylor	
Coshatt	Hale	Reed (T)	Waldrop	
Dill	Harris	Reid (R)	Wynot	
				—35

RECESS

On motion of Mr. Carnes, the House recessed for fifteen minutes.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 128. To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for persons 65 years of age or older; to provide acceptable means of proof of age for the purposes of this Act; to provide a penalty for the filing of any false proof of age; and to repeal all laws which are in conflict with this Act and especially Act Number 2128, Acts of Alabama 1971, Regular Session, approved September 20, 1971.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 320 RECONSIDERED

Having voted on the prevailing side, Mr. Hill moved to reconsider the vote by which the bill, H. 320 as amended, was lost, and the motion was adopted.

Yeas 69; Nays 10.

Yeas:

Mr. Speaker	Drake	Lang	Snell	
Adams	Easters	McCluskey	Stokes	
Barkett	Edwards	McCorquodale	Straiton	
Bassett	Fite	Mathews	Stubbs	
Benton	Gloor	May	Taylor	
Boles	Goodwin	Meeks	Therrell	
Brassell	Grey (D)	Merrill	Turner	
Burgess	Hardin	Mims	Turnham	
Callahan	Harris	Naramore	Waggoner	
Carnes	Headley	O'Daniel	Waldrop	
Carter	Hearn	Owens	Wallace	
Casey	Hill	Perloff	Warren	
Chesnut	Hobbie	Pruitt	Weeks	
Connell	Jackson	Reynolds	Williams	
Coshatt	Jones (E)	St. John	Wise	
Cottingham	Jones (F)	Smith (K)	Wood	
Crawford	Kinsey	Smith (P)	Wynot	
Downing				—69

Nays:

Messrs.:	Doss	Gafford	Slate	
Baker	Erdreich	King	Stewart	
Boutwell	Falkenburg	Lutz		—10

And the bill:

H. 320. To provide for presidential preferential primary elections; to require all political parties which elect to hold primary elections for nomination of state, district, or federal officers to hold such presidential preferential

primary elections; to provide for the conduct of such elections; to provide for the selection of candidates for such election; to provide for the selection of convention delegates by such presidential preferential primary election; to provide for the form of ballot for such primary and to prohibit certain political parties from selecting delegates to national political conventions under certain circumstances.

Was again taken up.

Mr. Waldrop offered the following amendment to the bill, H. 320, as amended:

Amend H. 320 by deleting Sections 8, 9 and 10 in their entirety; by renumbering Sections 11, 12 and 13 as Sections 8, 9 and 10 respectively. Section 14 is amended to be Section 11 and further amended by striking out the first sentence thereof. Amend Section 11 further by striking out the word "not" where it appears in the second sentence thereof.

Add a new Section as follows:

"Section 12. All delegates to national political conventions shall be elected by the various political parties in such manner as the state political party may decide, provided, however, that all candidates for delegate and delegates make an affidavit that they will support the candidate who wins the presidential preferential primary on the first and second national convention ballots and on each succeeding ballot so long as such winning candidate continues to receive 15% or more of the national convention ballots."

Amend H. 320 further by deleting Sections 15 and 16 in their entirety and renumber Sections 17, 18 and 19 as Sections 13, 14 and 15 respectively.

And the amendment was adopted.

Yeas 78; Nays 6.

Yeas:

Mr. Speaker	Downing	King	St. John
Adams	Drake	Kinsey	Smith (K)
Adwell	Easters	Lang	Smith (P)
Barkett	Edwards	McBride	Snell
Bassett	Ellis	McCluskey	Stokes
Benton	Fite	McCorquodale	Straiton
Boles	Gloor	Mathews	Stubbs
Brassell	Goodwin	May	Taylor
Burgess	Grainger	Meeks	Therrell
Callahan	Grey (D)	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hearn	Parker (T)	Warren
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Pruitt	Wise
Crawford	Jackson	Reynolds	Wood
Crowe	Jones (E)	Robertson	Wynot
Culver	Jones (F)		—78

Nays:

Messrs.:	Doss	Falkenburg	Slate
Dill	Erdreich	Gafford	—6

MOTION TO POSTPONE H. 320 TABLED

Mr. Doss moved that the bill, H. 320 as amended, be postponed to the Twenty-fourth Legislative Day.

On motion of Mr. Turner, the motion offered by Mr. Doss was tabled.

Yeas 57; Nays 27.

Yeas:

Mr. Speaker	Downing	McCorquodale	Straiton
Adwell	Drake	Mathews	Stubbs
Barkett	Easters	Merrill	Taylor
Bassett	Edwards	Mims	Therrell
Benton	Goodwin	Naramore	Turner
Brassell	Grey (D)	O'Daniel	Turnham
Burgess	Hardin	Owens	Waggoner
Callahan	Headley	Perloff	Waldrop
Carnes	Hearn	Pruitt	Wallace
Carter	Hobbie	Reynolds	Warren
Connell	Jackson	Robertson	Williams
Coshatt	Jones (F)	Smith (K)	Wise
Cottingham	Kinsey	Snell	Wood
Crawford	Lang	Stokes	Wynot
Culver			

—57

Nays:

Messrs.:	Dill	Hale	Parker (T)
Adams	Doss	Hill	Reed (T)
Baker	Ellis	Jones (E)	Reid (R)
Boles	Erdreich	King	St. John
Boutwell	Falkenburg	Lutz	Slate
Casey	Gafford	McBride	Stewart
Crowe	Grainger	Manley	Weeks

—27

Mr. Erdreich offered the following amendment to the bill, H. 320 as amended:

Amend H. 320 by adding at the end of Section 5 the following:

Provided however, no candidate shall be certified for any party unless the candidate has filed with the Secretary of State a sworn written affidavit which states that such person will not support any candidate other than the nominee of the political party with which the state political party is affiliated.

AMENDMENT TABLED

On motion of Mr. Turner, the amendment offered by Mr. Erdreich was tabled.

Yeas 53; Nays 29.

Yeas:

Mr. Speaker	Bassett	Callahan	Cottingham
Adams	Benton	Casey	Crawford
Adwell	Brassell	Connell	Crowe
Barkett	Burgess	Coshatt	Culver

Downing	Jackson	Naramore	Taylor
Drake	Jones (F)	O'Daniel	Therrell
Easters	Kinsey	Owens	Turner
Fite	Lang	Perloff	Turnham
Goodwin	McBride	Pruitt	Waggoner
Grey (D)	McCorquodale	Reynolds	Wallace
Hardin	Mathews	Smith (K)	Warren
Headley	Merrill	Snell	Williams
Hearn	Mims	Stubbs	Wise
Hobbie			—53

Nays:

Messrs.:	Erdreich	Lutz	St. John
Baker	Falkenburg	Manley	Slate
Boutwell	Gafford	Meeks	Stewart
Carnes	Grainger	Parker (T)	Waldrop
Carter	Gray (F)	Reed (T)	Weeks
Chesnut	Hale	Reid (R)	Wood
Dill	Hill	Robertson	Wynot
Doss	King		—29

And the bill, H. 320 as thus amended, was again read at length and passed.

Yeas 53; Nays 29.

Yeas:

Mr. Speaker	Culver	Kinsey	Smith (K)
Adams	Downing	Lang	Smith (P)
Adwell	Drake	McBride	Snell
Baker	Easters	McCluskey	Stewart
Barkett	Edwards	McCorquodale	Stokes
Bassett	Falkenburg	Mathews	Straiton
Benton	Fite	May	Stubbs
Brassell	Gloor	Meeks	Taylor
Burgess	Goodwin	Merrill	Therrell
Callahan	Grey (D)	Mims	Turner
Carnes	Hardin	Naramore	Turnham
Carter	Harris	O'Daniel	Waggoner
Casey	Headley	Owens	Waldrop
Chesnut	Hearn	Perloff	Wallace
Connell	Hill	Pruitt	Warren
Coshatt	Hobbie	Reid (R)	Williams
Cottingham	Jackson	Reynolds	Wise
Crawford	Jones (E)	Robertson	Wood
Crowe	Jones (F)	St. John	Wynot
			—76

Nays:

Messrs.:	Gafford	King	Parker (T)
Boutwell	Grainger	Lutz	Reed (T)
Dill	Gray (F)	Manley	Slate
Doss	Hale		—13

SPECIAL ORDER RESUMED

And the bill:

H. 321. To provide that the names of candidates for President and

Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Was taken up.

Mr. Waldrop offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The number of electors for President and Vice President of the United States to which this State is entitled shall be chosen as provided in this Act.

Section 2. When presidential electors are to be chosen the secretary of state of Alabama shall certify to the judges of probate of the several counties the names of all candidates for president and vice president who are nominated by any national convention or other like assembly of any political party, or by written petition signed by at least 5,000 qualified voters of this State.

The certificate of nomination by a political party convention must be signed by the presiding officer and secretary of the convention and by the chairman of the state executive or central committee of the political party making the nomination. Any nominating petition to be valid must contain the signatures as well as the addresses of the petitioners. Such certificates and petitions must be filed in the office of the secretary of state no later than the last day of August next preceding the day fixed for the election.

Each certificate of nomination and nominating petition must be accompanied by a list of the names and addresses of persons, who shall be qualified voters of this State, equal in number to the number of presidential electors to be chosen. Each person so listed shall execute the following statement which shall be attached to the certificate or petition when the same is filed with the secretary of state: "I do hereby consent and do hereby agree, to serve as elector for president and vice president of the United States if elected to that position and do hereby agree that, if so elected, I shall cast my ballot as such elector for for president and for vice president of the United States" (inserting in said blank spaces the respective names of the persons named as nominees for said respective offices in the certificate to which this statement is attached).

Section 3. The names of all candidates for president and vice president who are nominated as herein provided shall be printed on the official ballots under the emblem of their respective political parties as filed in the office of the secretary of state of Alabama. The names of the electors of the candidates for president and vice president shall not be printed upon the ballots. A vote for a candidate for president or vice president shall be counted as a vote for

the electors of the political party or independent body by which such candidates were named, as listed on the certificate of nomination or nominating petition.

Section 4. The provisions of Sections 65, 66, 75, 145, 153, 222, and 223 of Title 17, Code of Alabama, which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Turner the substitute offered by Mr. Waldrop was tabled.

Yeas 51; Nays 24.

Yeas:

Mr. Speaker	Downing	McCorquodale	Smith (K)	
Adwell	Drake	Manley	Stewart	
Barkett	Easters	Mathews	Straiton	
Bassett	Edwards	Meeks	Stubbs	
Brassell	Fite	Merrill	Taylor	
Burgess	Hardin	Mims	Therrell	
Callahan	Harris	Naramore	Turner	
Carter	Headley	O'Daniel	Waggoner	
Connell	Hearn	Owens	Wallace	
Cottingham	Hobbie	Pruitt	Warren	
Crawford	Jackson	Reynolds	Williams	
Crowe	Jones (F)	Robertson	Wood	
Culver	Lang	Slate		—51

Nays:

Messrs.:	Doss	Hill	St. John	
Adams	Erdreich	King	Smith (P)	
Boutwell	Falkenburg	Lutz	Snell	
Carnes	Grainger	McBride	Waldrop	
Casey	Gray (F)	Reed (T)	Weeks	
Coshatt	Grey (D)	Reid (R)	Wynot	
Dill				—24

Mr. Erdreich offered the following amendment to the bill, H. 321:

Amend H. 321 by adding at the end of Section 3 the following:

No electors shall be placed upon the ballot if the candidate of said electors has in the immediately prior Alabama presidential preferential primary placed his or her name upon the ballot of another party in said primary, and no electors shall vote for any candidate who in the immediately prior Alabama preferential primary has placed his or her name upon the ballot of another party in said primary.

AMENDMENT TABLED

On motion of Mr. Turner, the amendment offered by Mr. Erdreich was tabled.

Yeas 54; Nays 21.

Yeas:

Mr. Speaker	Culver	Jones (F)	Smith (K)
Adams	Downing	Lang	Snell
Adwell	Drake	McCorquodale	Straiton
Barkett	Easters	Mathews	Stubbs
Bassett	Edwards	Merrill	Taylor
Brassell	Fite	Mims	Therrell
Burgess	Gloor	Naramore	Turner
Callahan	Goodwin	O'Daniel	Turnham
Carter	Grey (D)	Owens	Waggoner
Casey	Hardin	Pruitt	Wallace
Connell	Harris	Reid (R)	Warren
Coshatt	Headley	Reynolds	Williams
Cottingham	Hearn	Robertson	Wynot
Crawford	Jackson		—54

Nays:

Messrs.:	Ellis	Lutz	St. John
Boutwell	Erdreich	McBride	Slate
Carnes	Falkenburg	Manley	Waldrop
Crowe	Grainger	Meeks	Weeks
Dill	Hill	Reed (T)	Wood
Doss	King		—21

And the bill, H. 321, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 12.

Yeas:

Mr. Speaker	Downing	Lang	Slate
Adams	Drake	McCluskey	Smith (K)
Adwell	Easters	McCorquodale	Smith (P)
Baker	Edwards	Manley	Snell
Barkett	Fite	Mathews	Stewart
Bassett	Gloor	May	Stokes
Benton	Goodwin	Meeks	Straiton
Boles	Grainger	Merrill	Stubbs
Brassell	Grey (D)	Mims	Taylor
Burgess	Hardin	Naramore	Therrell
Callahan	Harris	O'Daniel	Turner
Carter	Headley	Owens	Turnham
Casey	Hearn	Parker (T)	Waggoner
Chesnut	Hill	Perloff	Wallace
Connell	Hobbie	Pruitt	Warren
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Reynolds	Wise
Crawford	Jones (F)	Robertson	Wood
Crowe	King	St. John	Wynot
Culver	Kinsey		—78

Nays:

Messrs.:	Doss	Gafford	McBride
Boutwell	Erdreich	Gray (F)	Reed (T)
Carnes	Falkenburg	Lutz	Waldrop
Dill			—12

And the bill:

H. 322. To amend the definition of a political party eligible to conduct primary elections; to amend Title 17, Sections 337 and 412, Code of Alabama, 1940, as amended; to provide that the requirement for determination of a political party be based on a percentage of the total votes cast for a county or state constitutional officer.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Baker that the House adjourn until 2:00 o'clock p.m., Thursday, January 27, 1972, was lost.

Yeas 42; Nays 43.

Yeas:

Messrs.:	Connell	Goodwin	May
Adwell	Cottingham	Grainger	Parker (T)
Baker	Crawford	Grey (D)	Perloff
Barkett	Crowe	Hardin	Reid (R)
Bassett	Dill	Harris	Reynolds
Benton	Doss	King	St. John
Brassell	Edwards	Kinsey	Stewart
Carnes	Ellis	Lang	Therrell
Carter	Erdreich	Lutz	Waldrop
Casey	Falkenburg	Manley	Weeks
Chesnut	Gafford	Mathews	—42

Nays:

Mr. Speaker	Gloor	McCorquodale	Straiton
Adams	Gray (F)	Merrill	Taylor
Boles	Headley	Mims	Turner
Boutwell	Hearn	Naramore	Waggoner
Burgess	Hill	O'Daniel	Wallace
Coshatt	Hobbie	Owens	Warren
Culver	Jackson	Pruitt	Williams
Downing	Jones (E)	Reed (T)	Wise
Drake	Jones (F)	Robertson	Wood
Easters	McBride	Slate	Wynot
Fite	McCluskey	Smith (K)	—43

H. 322 RESUMED

And the bill, H. 322, was read a third time at length and lost, lacking a two-thirds vote.

Yeas 52; Nays 37.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adwell	Benton	Brassell	Callahan

Casey	Headley	Mims	Stokes
Connell	Hearn	Naramore	Straiton
Cottingham	Hobbie	O'Daniel	Stubbs
Crawford	Jackson	Owens	Therrell
Culver	Jones (E)	Perloff	Turner
Downing	Jones (F)	Pruitt	Turnham
Easters	Kinsey	Reed (T)	Wallace
Edwards	McCluskey	Reynolds	Warren
Fite	McCorquodale	Robertson	Weeks
Gray (F)	Mathews	Smith (K)	Williams
Hardin	Merrill	Smith (P)	Wise

—52

Nays:

Messrs.:	Dill	Hill	St. John
Adams	Doss	King	Slate
Baker	Drake	Lang	Snell
Bassett	Erdreich	Lutz	Stewart
Boutwell	Falkenburg	McBride	Taylor
Carnes	Gafford	Manley	Waggoner
Carter	Gloor	Meeks	Waldrop
Chesnut	Goodwin	Parker (T)	Wood
Coshatt	Grainger	Reid (R)	Wynot
Crowe	Harris		

—37

H. 303 RE-REFERRED

On motion of Mr. Hobbie, the bill, H. 303, was re-referred from the Standing Committee on Banking to the Standing Committee on Public Welfare.

MOTION TO ADJOURN LOST

Mr. Crowe moved that the House adjourn until 3:00 o'clock p. m., Thursday, January 27, 1972.

The substitute motion of Mr. Barkett that the House adjourn until 12:00 o'clock noon, Thursday, January 27, 1972, was adopted.

Yeas 43; Nays 41.

Yeas:

Messrs.:	Coshatt	Gloor	May
Adwell	Cottingham	Grainger	Meeks
Baker	Crawford	Grey (D)	Merrill
Barkett	Crowe	Hardin	Parker (T)
Bassett	Dill	Harris	Perloff
Benton	Doss	Hearn	Reid (R)
Brassell	Edwards	King	St. John
Carter	Ellis	Kinsey	Stewart
Casey	Erdreich	Lang	Stokes
Chesnut	Falkenburg	Lutz	Therrell
Connell	Gafford	Manley	Weeks

—43

Nays:

Mr. Speaker	Boutwell	Callahan	Culver
Adams	Burgess	Carnes	Downing

Drake	Jones (F)	Slate	Waggoner
Easters	McCorquodale	Smith (K)	Waldrop
Fite	Mims	Snell	Wallace
Goodwin	Naramore	Straiton	Warren
Gray (F)	O'Daniel	Stubbs	Williams
Headley	Owens	Taylor	Wise
Hill	Reynolds	Turner	Wood
Hobbie	Robertson	Turnham	Wynot
Jackson			

—41

The question, then, was on the adoption of the motion of Mr. Crowe as substituted that the House adjourn until 12:00 o'clock noon, Thursday, January 27, 1972, and the motion was lost.

Yeas 40; Nays 48.

Yeas:

Messrs.:	Coshatt	Gafford	Manley
Adams	Cottingham	Grainger	May
Adwell	Crawford	Grey (D)	Meeks
Baker	Crowe	Hardin	Merrill
Barkett	Dill	Harris	Parker (T)
Bassett	Doss	Hearn	St. John
Benton	Edwards	King	Stewart
Brassell	Ellis	Kinsey	Stokes
Casey	Erdreich	Lang	Therrell
Chesnut	Falkenburg	Lutz	Weeks
Connell			

—40

Nays:

Mr. Speaker	Goodwin	O'Daniel	Stubbs
Boutwell	Gray (F)	Owens	Taylor
Burgess	Headley	Perloff	Turner
Callahan	Hill	Pruitt	Turnham
Carnes	Hobbie	Reed (T)	Waggoner
Carter	Jackson	Reid (R)	Waldrop
Culver	Jones (E)	Reynolds	Wallace
Downing	Jones (F)	Robertson	Warren
Drake	McBride	Slate	Williams
Easters	McCorquodale	Smith (K)	Wise
Fite	Mims	Snell	Wood
Gloor	Naramore	Straiton	Wynot

—48

SPECIAL ORDER RESUMED

And the bill:

H. 302. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide

for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (F)	Reynolds
Adams	Downing	King	Robertson
Adwell	Drake	Kinsey	St. John
Baker	Easters	Lang	Slate
Barkett	Edwards	Lutz	Smith (K)
Bassett	Ellis	McBride	Smith (P)
Benton	Erdreich	McCluskey	Snell
Boles	Falkenburg	McCorquodale	Stewart
Boutwell	Fite	Manley	Stokes
Brassell	Gafford	Mathews	Straiton
Burgess	Gloor	May	Stubbs
Callahan	Goodwin	Meeks	Taylor
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Chesnut	Hardin	O'Daniel	Waldrop
Connell	Harris	Owens	Wallace
Coshatt	Headley	Parker (T)	Warren
Cottingham	Hearn	Perloff	Weeks
Crawford	Hill	Pruitt	Williams
Crowe	Jackson	Reed (T)	Wise
Culver	Jones (E)	Reid (R)	Wynot
Dill			—89

MOTION TO ADJOURN LOST

Mr. Dill moved that the House adjourn until 12:00 o'clock noon, Thursday, January 27, 1972.

The substitute motion of Mr. King that the House adjourn until 12:00 o'clock noon, Wednesday, January 26, 1972, was lost.

Yeas 16; Nays 70.

Yeas:

Mr. Speaker	Crowe	Fite	Hearn
Adwell	Falkenburg	Grainger	Hill

King	Manley	Meeks	Williams	
Lutz	Mathews	Naramore	Wynot	
				—16

Nays:

Messrs.:	Doss	Jones (F)	Smith (P)	
Adams	Downing	Kinsey	Snell	
Baker	Drake	Lang	Stewart	
Barkett	Easters	McBride	Stokes	
Bassett	Edwards	McCluskey	Straiton	
Benton	Ellis	McCorquodale	Stubbs	
Boles	Erdreich	May	Taylor	
Boutwell	Gafford	Merrill	Therrell	
Brassell	Gloor	Mims	Turner	
Burgess	Goodwin	Owens	Turnham	
Carnes	Gray (F)	Parker (T)	Waggoner	
Carter	Grey (D)	Pruitt	Waldrop	
Casey	Hardin	Reid (R)	Wallace	
Chesnut	Harris	Reynolds	Warren	
Connell	Headley	Robertson	Weeks	
Cottingham	Hobbie	St. John	Wise	
Crawford	Jackson	Slate	Wood	
Culver	Jones (E)	Smith (K)		—70

The question, then, was on the motion offered by Mr. Dill that the House adjourn until 12:00 o'clock noon, Thursday, January 27, 1972, and the motion was lost.

Yeas 32; Nays 54.

Yeas:

Messrs.:	Connell	Gray (F)	May	
Adams	Crawford	Grey (D)	Parker (T)	
Baker	Crowe	Hardin	Pruitt	
Barkett	Ellis	King	Reed (T)	
Benton	Erdreich	Kinsey	Reid (R)	
Brassell	Falkenburg	Lang	St. John	
Carter	Gafford	Manley	Snell	
Casey	Goodwin	Mathews	Weeks	
Chesnut				—32

Nays:

Mr. Speaker	Fite	Merrill	Stubbs	
Adwell	Gloor	Mims	Taylor	
Bassett	Grainger	Naramore	Therrell	
Boles	Harris	O'Daniel	Turner	
Boutwell	Headley	Owens	Turnham	
Burgess	Hearn	Perloff	Waggoner	
Callahan	Hill	Reynolds	Waldrop	
Carnes	Hobbie	Robertson	Wallace	
Coshatt	Jackson	Slate	Warren	
Cottingham	Jones (E)	Smith (P)	Williams	
Culver	Jones (F)	Stewart	Wise	
Doss	McBride	Stokes	Wood	
Downing	McCorquodale	Straiton	Wynot	
Drake	Meeks			—54

SPECIAL ORDER RESUMED

And the bill:

H. 267. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Was taken up.

Mr. Dill offered the following amendment #1 to the bill:

Amend House Bill 267, Section 7, Sub. a, by adding the following sentence: "Every fire fighter or volunteer fire fighter who is a member of any other pension fund shall be ineligible to qualify as a member under the provisions of this act."

AMENDMENT TABLED

On motion of Mr. Straiton, the amendment #1 offered by Mr. Dill was tabled.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (F)	Smith (K)
Adams	Downing	King	Smith (P)
Adwell	Drake	Kinsey	Snell
Barkett	Easters	Lang	Stewart
Bassett	Edwards	Lutz	Stokes
Benton	Ellis	McCorquodale	Straiton
Boles	Erdreich	Merrill	Stubbs
Boutwell	Falkenburg	Mims	Taylor
Brassell	Fite	Naramore	Therrell
Burgess	Goodwin	O'Daniel	Turner
Callahan	Grainger	Owens	Turnham
Carnes	Grey (D)	Parker (T)	Waldrop
Chesnut	Hardin	Perloff	Wallace
Connell	Harris	Reid (R)	Warren
Coshatt	Headley	Reynolds	Williams
Cottingham	Hill	Robertson	Wise
Crawford	Hobbie	St. John	Wood
Crowe	Jackson	Slate	Wynot
Culver			

—73

Mr. Dill offered the following amendment #2 to the bill:

Amend House Bill 267 by striking Section 20 in its entirety and substituting in lieu thereof as follows: "Section 20. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama providing for a pension fund for fire fighters."

AMENDMENT TABLED

On motion of Mr. Straiton, the amendment #2 offered by Mr. Dill was tabled.

Yeas 69; Nays 6.

Yeas:

Mr. Speaker	Drake	Lutz	Stewart
Adams	Easters	McCluskey	Stokes
Adwell	Edwards	McCorquodale	Straiton
Barkett	Falkenburg	Merrill	Stubbs
Bassett	Fite	Mims	Taylor
Boles	Goodwin	Naramore	Therrell
Boutwell	Grainger	O'Daniel	Turner
Brassell	Gray (F)	Owens	Turnham
Burgess	Hardin	Parker (T)	Waggoner
Callahan	Headley	Pruitt	Waldrop
Carnes	Hearn	Reynolds	Wallace
Carter	Hill	Robertson	Warren
Casey	Hobbie	St. John	Weeks
Chesnut	Jackson	Slate	Williams
Coshatt	Jones (F)	Smith (K)	Wise
Cottingham	King	Smith (P)	Wood
Culver	Lang	Snell	Wynot
Downing			—69

Nays:

Messrs.:	Dill	McBride	Meeks
Baker	Gloor	Mathews	—6

Mr. Dill offered the following amendment #3 to the bill:

Amend Section 9 of H. B. 267 by deleting the words "one per cent" and inserting in lieu thereof the words and figures "one-quarter of one per cent (¼ of 1%)."

AMENDMENT TABLED

On motion of Mr. Straiton, the amendment #3 offered by Mr. Dill was tabled.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Coshatt	Goodwin	Lang
Adams	Cottingham	Grainger	Lutz
Adwell	Crowe	Gray (F)	McBride
Barkett	Culver	Grey (D)	McCluskey
Bassett	Doss	Hardin	McCorquodale
Boles	Downing	Harris	Merrill
Boutwell	Drake	Headley	Mims
Brassell	Easters	Hearn	Naramore
Burgess	Edwards	Hill	O'Daniel
Callahan	Ellis	Hobbie	Owens
Carnes	Erdreich	Jackson	Parker (T)
Carter	Falkenburg	Jones (E)	Reed (T)
Casey	Fite	Jones (F)	Reid (R)
Chesnut	Gloor	King	Reynolds

Robertson	Stewart	Turner	Weeks	
St. John	Stokes	Turnham	Williams	
Slate	Straiton	Waggoner	Wise	
Smith (K)	Stubbs	Waldrop	Wood	
Smith (P)	Taylor	Wallace	Wynot	
Snell	Therrell	Warren		—79

Nay: Mr. Dill —1

CO-SPONSOR ADDED

Mr. Hearn was added as co-sponsor to the bill, H. 267.

And the bill, H. 267, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 5.

Yeas:

Mr. Speaker	Drake	King	Smith (K)	
Adams	Easters	Kinsey	Smith (P)	
Barkett	Edwards	Lang	Snell	
Bassett	Ellis	Lutz	Stewart	
Benton	Erdreich	McBride	Stokes	
Boles	Falkenburg	McCluskey	Straiton	
Boutwell	Fite	McCorquodale	Stubbs	
Brassell	Goodwin	Manley	Taylor	
Burgess	Grainger	Merrill	Therrell	
Callahan	Gray (F)	Mims	Turner	
Carnes	Grey (D)	Naramore	Turnham	
Carter	Hardin	O'Daniel	Waggoner	
Casey	Harris	Parker (T)	Waldrop	
Chesnut	Headley	Pruitt	Wallace	
Coshatt	Hearn	Reed (T)	Warren	
Cottingham	Hill	Reid (R)	Weeks	
Crowe	Hobbie	Reynolds	Williams	
Culver	Jackson	Robertson	Wise	
Doss	Jones (E)	St. John	Wood	
Downing	Jones (F)	Slate	Wynot	
				—80

Nays:

Messrs.:	Dill	Mathews	Meeks	
Baker	Gafford			—5

And the bill:

H. 271. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Was taken up.

CO-SPONSORS ADDED

The following members were added as co-sponsors.

Messrs.:	Adwell	Barkett	Benton
Adams	Baker	Bassett	Boles

Boutwell	Erdreich	King	St. John
Brassell	Falkenburg	Kinsey	Smith (K)
Burgess	Fite	Lang	Snell
Carnes	Flippo	Lutz	Stewart
Carter	Gloor	McBride	Stokes
Casey	Goodwin	McCluskey	Straiton
Chesnut	Grainger	Manley	Stubbs
Coshatt	Gray (F)	Mathews	Therrell
Cottingham	Grey (D)	May	Turner
Crowe	Hardin	Merrill	Turnham
Dill	Harris	O'Daniel	Waggoner
Doss	Headley	Pruitt	Waldrop
Downing	Hearn	Reed (T)	Wallace
Drake	Hill	Reid (R)	Weeks
Easters	Jackson	Reynolds	Wise
Edwards	Jones (E)	Robertson	Wynot
Ellis	Jones (F)		

And the bill, H. 271, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Slate
Adams	Easters	Lang	Smith (K)
Adwell	Edwards	Lutz	Smith (P)
Baker	Ellis	McBride	Snell
Barkett	Erdreich	McCluskey	Stewart
Bassett	Falkenburg	McCorquodale	Stokes
Benton	Fite	Manley	Straiton
Boles	Gloor	Mathews	Stubbs
Boutwell	Goodwin	May	Taylor
Brassell	Grainger	Meeks	Therrell
Burgess	Gray (F)	Merrill	Turner
Callahan	Grey (D)	Mims	Turnham
Carnes	Hardin	O'Daniel	Waggoner
Carter	Harris	Owens	Waldrop
Casey	Headley	Parker (T)	Wallace
Chesnut	Hearn	Pruitt	Warren
Coshatt	Hill	Reed (T)	Weeks
Cottingham	Jackson	Reid (R)	Williams
Crowe	Jones (E)	Reynolds	Wise
Dill	Jones (F)	Robertson	Wood
Doss	King	St. John	Wynot
Downing			—85

And the bill:

H. 273. To amend Title 42, Section 8 of the Code of Alabama 1940, as amended, so as to liberalize the conditions under which prisoners may be given temporary paroles and furloughs.

Was taken up.

Mr. Burgess offered the following amendment to the bill:

In Section 8, after the last sentence, add the following:

Provided that the Christmas furloughs authorized herein shall not be granted to any prisoner convicted of drug peddling, child molesting, or rape, or to any maximum security prisoner.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	King	St. John
Adams	Easters	Kinsey	Slate
Adwell	Edwards	Lang	Smith (K)
Baker	Ellis	Lutz	Smith (P)
Barkett	Erdreich	McBride	Snell
Bassett	Falkenburg	McCluskey	Stewart
Benton	Fite	McCorquodale	Stokes
Boles	Gafford	Manley	Straiton
Boutwell	Gloor	Mathews	Stubbs
Brassell	Goodwin	May	Taylor
Burgess	Grainger	Meeks	Therrell
Callahan	Grey (D)	Merrill	Turner
Carnes	Hardin	Mims	Turnham
Carter	Harris	Naramore	Waggoner
Casey	Headley	O'Daniel	Waldrop
Chesnut	Hearn	Owens	Wallace
Cottingham	Hill	Parker (T)	Warren
Crowe	Hobbie	Pruitt	Weeks
Dill	Jackson	Reid (R)	Williams
Doss	Jones (E)	Reynolds	Wise
Downing	Jones (F)	Robertson	Wynot

—84

And the bill, H. 273, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 3.

Yeas:

Mr. Speaker	Easters	King	Slate
Adams	Edwards	Kinsey	Smith (K)
Baker	Ellis	Lutz	Smith (P)
Barkett	Erdreich	McBride	Snell
Bassett	Falkenburg	McCluskey	Stewart
Benton	Fite	McCorquodale	Stokes
Boles	Gloor	Manley	Straiton
Boutwell	Goodwin	Mathews	Stubbs
Brassell	Grainger	May	Taylor
Burgess	Gray (F)	Merrill	Turner
Callahan	Grey (D)	Mims	Turnham
Carnes	Hardin	O'Daniel	Waggoner
Carter	Harris	Owens	Waldrop
Casey	Headley	Parker (T)	Wallace
Chesnut	Hearn	Pruitt	Warren
Coshatt	Hill	Reed (T)	Weeks
Cottingham	Hobbie	Reid (R)	Williams
Dill	Jackson	Reynolds	Wise
Doss	Jones (E)	Robertson	Wood
Downing	Jones (F)	St. John	Wynot
Drake			

—81

Nays: Messrs.: Crowe, Gafford and Naramore —3

MOTION TO ADJOURN LOST

The motion of Mr. Smith (K) that the House adjourn until 2:00 o'clock p. m., Thursday, January 27, 1972, was lost.

Yeas 24; Nays 64.

Yeas:

Messrs.:	Casey	Jackson	Reynolds
Adams	Connell	Kinsey	Slate
Baker	Cottingham	Lang	Smith (K)
Barkett	Crawford	McCorquodale	Snell
Bassett	Goodwin	Parker (T)	Therrell
Benton	Hardin	Reed (T)	Turnham
Brassell			

—24

Nays:

Mr. Speaker	Easters	Jones (F)	Smith (P)
Adwell	Edwards	King	Stewart
Boles	Ellis	Lutz	Stokes
Boutwell	Erdreich	McBride	Straiton
Burgess	Falkenburg	McCluskey	Stubbs
Callahan	Fite	Mathews	Taylor
Carnes	Gafford	May	Turner
Carter	Gloor	Meeks	Waggoner
Chesnut	Grainger	Merrill	Waldrop
Coshatt	Gray (F)	Mims	Wallace
Crowe	Grey (D)	Naramore	Warren
Culver	Harris	Owens	Weeks
Dill	Headley	Pruitt	Williams
Doss	Hearn	Reid (R)	Wise
Downing	Hill	Robertson	Wood
Drake	Jones (E)	St. John	Wynot

—64

SPECIAL ORDER RESUMED

And the bill:

H. 241. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any group of citizens of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones (F)	Slate
Adams	Drake	King	Smith (K)
Adwell	Edwards	Kinsey	Smith (P)
Baker	Ellis	Lutz	Snell
Bassett	Erdreich	McBride	Stewart
Benton	Falkenburg	McCluskey	Stokes
Boles	Fite	McCorquodale	Straiton
Boutwell	Gafford	Manley	Stubbs
Brassell	Gloor	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Harris	Owens	Wallace
Coshatt	Headley	Parker (T)	Warren
Cottingham	Hearn	Pruitt	Weeks
Crowe	Hill	Reid (R)	Williams
Culver	Hobbie	Reynolds	Wise
Dill	Jackson	Robertson	Wynot
Doss	Jones (E)	St. John	—83

And the bill:

H. 242. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	Jones (F)
Adams	Coshatt	Gloor	King
Adwell	Cottingham	Goodwin	Kinsey
Baker	Crowe	Grainger	Lutz
Bassett	Culver	Gray (F)	McBride
Benton	Dill	Grey (D)	McCluskey
Boles	Doss	Hardin	McCorquodale
Boutwell	Downing	Harris	Manley
Brassell	Drake	Headley	Mathews
Burgess	Edwards	Hearn	May
Callahan	Ellis	Hill	Meeks
Carnes	Erdreich	Hobbie	Merrill
Carter	Falkenburg	Jackson	Mims
Casey	Fite	Jones (E)	Naramore

Owens	Slate	Stubbs	Wallace
Parker (T)	Smith (K)	Taylor	Warren
Pruitt	Smith (P)	Therrell	Weeks
Reed (T)	Snell	Turner	Williams
Reid (R)	Stewart	Turnham	Wise
Reynolds	Stokes	Waggoner	Wood
Robertson	Straiton	Waldrop	Wynot
St. John			

—85

And the bill:

H. 243. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this Act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Slate
Adams	Edwards	Lutz	Smith (K)
Adwell	Ellis	McBride	Smith (P)
Baker	Erdreich	McCluskey	Snell
Bassett	Falkenburg	McCorquodale	Stewart
Benton	Fite	Manley	Stokes
Boles	Gafford	Mathews	Straiton
Boutwell	Goodwin	May	Stubbs
Brassell	Grainger	Meeks	Taylor
Burgess	Gray (F)	Merrill	Therrell
Callahan	Grey (D)	Mims	Turner
Carnes	Hardin	Naramore	Turnham
Carter	Harris	O'Daniel	Waggoner
Casey	Headley	Owens	Waldrop
Chesnut	Hearn	Parker (T)	Wallace
Coshatt	Hill	Pruitt	Warren
Cottingham	Hobbie	Reed (T)	Weeks
Crowe	Jackson	Reid (R)	Williams
Culver	Jones (E)	Reynolds	Wise
Dill	Jones (F)	Robertson	Wood
Doss	King	St. John	Wynot
Downing			

—85

And the bill:

H. 244. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial duties of sur-

face mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this Act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Slate
Adams	Edwards	Lutz	Smith (K)
Adwell	Ellis	McBride	Smith (P)
Baker	Erdreich	McCluskey	Snell
Bassett	Falkenburg	McCorquodale	Stewart
Benton	Fite	Manley	Stokes
Boles	Gafford	Mathews	Straiton
Boutwell	Gloor	May	Stubbs
Brassell	Goodwin	Meeks	Taylor
Burgess	Grainger	Merrill	Therrell
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hardin	O'Daniel	Waggoner
Casey	Harris	Owens	Waldrop
Chesnut	Headley	Parker (T)	Wallace
Coshatt	Hearn	Pruitt	Warren
Cottingham	Hill	Reed (T)	Weeks
Crowe	Hobbie	Reid (R)	Williams
Culver	Jackson	Reynolds	Wise
Dill	Jones (E)	Robertson	Wood
Doss	Jones (F)	St. John	Wynot
Downing	King		—86

And the bill:

H. 245. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Carter
Adams	Benton	Burgess	Casey
Adwell	Boles	Callahan	Chesnut
Baker	Boutwell	Carnes	Coshatt

Cottingham	Grey (D)	Meeks	Stokes
Crowe	Hardin	Merrill	Straiton
Culver	Harris	Mims	Stubbs
Dill	Headley	Naramore	Taylor
Doss	Hearn	O'Daniel	Therrell
Downing	Hill	Owens	Turner
Drake	Hobbie	Reed (T)	Turnham
Edwards	Jones (F)	Reid (R)	Waggoner
Ellis	King	Reynolds	Waldrop
Erdreich	Kinsey	Robertson	Wallace
Falkenburg	Lutz	St. John	Warren
Fite	McBride	Slate	Weeks
Gafford	McCluskey	Smith (K)	Williams
Gloor	McCorquodale	Smith (P)	Wise
Goodwin	Mathews	Snell	Wood
Grainger	May	Stewart	Wynot
Gray (F)			

—81

And the bill:

H. 266. To provide that any municipality of the state may authorize any policeman or other employee of such municipality to assist the policemen or other employees of any other municipality of the state in the performance of undercover work in such other municipality or its police jurisdiction for the purpose of enforcing the laws of the state or ordinances of such other municipality relating to the illegal possession, use, sale or disposition of narcotic drugs, marijuana or any other drug enumerated in Section 256 of Title 22, Code of Alabama of 1940, as amended or the illegal possession or sale of alcoholic or malt beverages when such aid is requested in writing on behalf of such other municipality by the Major, or other chief executive officer thereof, and to prescribe the conditions under which such undercover work may be performed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones (F)	St. John
Adams	Drake	King	Slate
Adwell	Edwards	Kinsey	Smith (P)
Baker	Ellis	Lutz	Snell
Bassett	Erdreich	McBride	Stewart
Benton	Falkenburg	McCluskey	Stokes
Boles	Fite	McCorquodale	Straiton
Boutwell	Gafford	Manley	Stubbs
Brassell	Gloor	Mathews	Taylor
Burgess	Goodwin	Meeks	Turner
Callahan	Grainger	Merrill	Turnham
Carnes	Gray (F)	Mims	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Coshatt	Headley	Parker (T)	Weeks
Cottingham	Hearn	Pruitt	Williams
Crowe	Hill	Reed (T)	Wise
Culver	Hobbie	Reid (R)	Wood
Dill	Jackson	Reynolds	Wynot
Doss	Jones (E)	Robertson	

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ADJOURNMENT

Mr. Turnham moved that the House adjourn until 2:00 o'clock p. m., Thursday, January 27, 1972.

The substitute motion of Mr. Gloor that the House adjourn until 1:00 o'clcok p. m., Thursday, January 27, 1972, was adopted.

Yeas 49; Nays 31.

Yeas:

Mr. Speaker	Drake	Hobbie	Owens
Adams	Edwards	Jackson	Parker (T)
Adwell	Falkenburg	Jones (E)	Pruitt
Bassett	Fite	Kinsey	Smith (P)
Benton	Gafford	Lutz	Snell
Boles	Gloor	McCluskey	Stokes
Brassell	Grainger	Manley	Straiton
Burgess	Gray (F)	Mathews	Stubbs
Casey	Grey (D)	May	Turnham
Coshatt	Hardin	Merrill	Wallace
Cottingham	Harris	Naramore	Weeks
Culver	Hearn	O'Daniel	Wise
Dill			

—49

Nays:

Messrs.:	Downing	McCorquodale	Stewart
Baker	Ellis	Meeks	Taylor
Boutwell	Goodwin	Mims	Turner
Callahan	Headley	Reid (R)	Waggoner
Carnes	Hill	Reynolds	Waldrop
Carter	Jones (F)	Robertson	Warren
Chesnut	King	St. John	Wood
Crowe	McBride	Slate	Wynot

—31

The question, then, was on the motion of Mr. Turnham as substituted that the House adjourn until 1:00 o'clock p. m., Thursday, January 27, 1972, and the motion was adopted.

Yeas 52; Nays 28.

Yeas:

Mr. Speaker	Dill	Hobbie	Pruitt
Adams	Downing	Jackson	Reed (T)
Adwell	Drake	Jones (E)	Reid (R)
Bassett	Edwards	Kinsey	St. John
Benton	Falkenburg	Lutz	Snell
Boles	Gafford	Manley	Stokes
Brassell	Gloor	Mathews	Straiton
Burgess	Goodwin	May	Stubbs
Callahan	Gray (F)	Merrill	Therrell
Casey	Grey (D)	Naramore	Turnham
Coshatt	Hardin	O'Daniel	Wallace
Crowe	Harris	Owens	Weeks
Culver	Hearn	Parker (T)	Wise

—52

Nays:

Messrs.:	Headley	Meeks	Turner
Baker	Hill	Reynolds	Waggoner
Boutwell	Jones (F)	Robertson	Waldrop
Carnes	King	Slate	Warren
Carter	McBride	Smith (P)	Williams
Ellis	McCluskey	Stewart	Wood
Erdreich	McCorquodale	Taylor	Wynot
Grainger			

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TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Thursday, January 27, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry Lyons, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dill	King	St. John
Adwell	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McCorquodale	Stokes
Boutwell	Fite	McDonald	Straiton
Bowers	Gafford	Manley	Stubbs
Brassell	Gloor	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Merrill	Timmons
Carnes	Gray (F)	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (T)	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hearn	Pruitt	Weeks
Cottingham	Hill	Reed (T)	Williams
Crawford	Hobbie	Reid (R)	Wise
Cross	Jackson	Reynolds	Wood
Crowe	Jones (E)	Roberts	Wynot
Culver	Jones (F)	Robertson	

—95

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 320. To provide for presidential preferential primary elections; to require all political parties which elect to hold primary elections for nomination of state, district, or federal officers to hold such presidential preferential primary elections; to provide for the conduct of such elections; to provide for the selection of candidates for such election; to provide for the selection of convention delegates by such presidential preferential primary election; to provide for the form of ballot for such primary and to prohibit certain political parties from selecting delegates to national political conventions under certain circumstances.

TOM DRAKE,
Chairman.

LEAVES OF ABSENCE

On motion of Mr. Callahan, leave of absence was granted for Mr. Collins due to illness.

On motion of Mr. Gloor leaves of absence were granted for Messrs. Cherner and Parker (H) due to illness.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 285. (With Substitute). To provide for the control of and the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 351. (With Amendment). To create and define the offense of shoplifting and to provide the punishment therefor; to create presumptions arising out of the concealment of goods held for sale by merchants; to authorize the detention, under certain circumstances, of persons concealing such goods; to exempt merchants and other persons from civil or criminal liability in certain cases; and for related purposes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 120. To authorize the formation of professional corporations for the purpose of rendering professional services; to prescribe the manner of organization of such corporations; to limit the purposes of the organization of such corporations; to limit membership in or shareholders of such corporations to persons so licensed to practice in the State of Alabama; to regulate the naming of such corporations; to regulate the issuance of stock in such corporations; to regulate the rendering of professional services furnished by such corporations; to preserve professional relationships and regulations; to prohibit certain acts; to provide for severance of interests in such corporations; to provide for the death or disqualification of shareholders; to require the submission of annual certificates and reports; and to limit mergers or consolidations.

H. 135. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

H. 136. To amend further Code of Alabama 1940, Title 30, Section 21, relating to persons on jury rolls.

H. 335. To amend Section 587 of Title 37, Code of Alabama, 1940, as amended, relating to appeal from Recorder's Court.

H. 323. To amend Section 1 of Act No. 1099, S. 49, Regular Session 1969 (Acts 1969, p. 2035), which provides penalties for persons convicted of stealing fish from persons engaged in fish farming; providing further that the stealing of catfish shall be a felony.

H. 328. To amend further Sections 5 and 22 of Act No. 2485, S. 483, 1971 Regular Session, approved October 1, 1971, entitled "An Act To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws," so as to provide further for the qualification of licensees and to change the effective date of said Act to October 1, 1972.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 329 (With Amendment). To appropriate $15,000 to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 331. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 380. To make a supplemental appropriation from the State General Fund to the Alabama Commission on Aging for the purpose of matching Federal Funds.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 314. To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

H. 378. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

H. 390. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

H. 392. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

H. 398. Relating to counties having a population of not less than 26,725 nor more than 27,250 according to the most recent federal

decennial census; to provide that the county commission may provide, by unanimous vote, an additional expense allowance to members of the county commission.

H. 404. Relating to counties having a population of not less than 10,900 nor more than 11,500 inhabitants according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff; providing for deposit of fees in a Sheriff's Fund and providing for the use of such fund.

H. 407. To amend Act No. 51, H. 55 of the Third Special Session of 1971, approved December 13, 1971, entitled "An Act, Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this Act retroactive."

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 399 (With Substitute). To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in such municipalities through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a nonforeclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision,

public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Lyons, Chairman of the Standing Committee on Intergovernmental Cooperation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 393. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 400. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, approved August 19, 1971, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Baldwin County to the list of counties to which the Act does not apply.

LEAVE OF ABSENCE

On motion of Mr. McCorquodale, leave of absence was granted for Mr. Agee due to illness.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Cottingham:

H. 408. To apply only in counties having populations of not less than 54,500 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Local Legislation No. 1.

By Mr. Wood:

H. 409. To make an additional appropriation to the Attorney General from the General Fund for expenses incurred in reapportionment litigation and other appeals in defense of the State.

Ways and Means.

By Mr. Mathews:

H. 410. To provide that in counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census, the total compensation to be paid members of the Board of Registrars shall be $15.00 per day.

Local Legislation No. 1.

By Messrs. Erdreich, Jones (E), Wallace and Bowers:

H. 411. To provide and authorize an alternative and additional method of appeal by the defendant in municipal recorder's court in any municipality of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census.

Local Legislation No. 2.

By Messrs. Grainger, Hearn, Lutz and King:

H. 412. To make a conditional appropriation of $50,000 out of the State General Fund to the Bureau of Publicity and Information for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Ways and Means.

By Messrs. Hardin and Bassett:

H. 413. Relating to counties having a population of not less than 22,000 nor more than 22,500 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars, board of equalization and jury commission.

Local Legislation No. 1.

By Messrs. Turnham and Brassell:

H. 414. To amend the title and Section 1 of Act No. 1626, H. 2235, Regular Session 1971, approved September 17, 1971, relating to a sheriff allowance for feeding prisoners in counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census so as to eliminate the sheriff fees and allowances for transporting insane and juvenile prisoners.

Local Legislation No. 1.

By Messrs. Turnham and Brassell:

H. 415. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

By Messrs. Lutz, King and Grainger:

H. 416. Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 4.

By Messrs. Wynot, Grey (D), Callahan, McCluskey, Therrell, Mims, Warren, Fite, Hale, Carnes, Lang, King and Culver:

H. 417. To permit deductions by Dentists in computing net income for State Income Tax purposes, of certain dental services performed for indigent children and adults.

Ways and Means.

By Messrs. Stewart, Merrill and Burgess:

H. 418. To apply only in counties having populations of not less than 100,000 nor more than 115,000; regulating the compensation of bailiffs serving the circuit courts of such counties.

Local Legislation No. 1.

By Messrs. Stewart, Merrill and Burgess:

H. 419. This act provides for the ratification and confirmation of vacation of streets, alleys, avenues, roads or highways and to provide for the vesting of title after any vacations of streets, alleys, avenues, roads or highways.

Local Government.

By Mr. Turnham:

H. 420. To further amend Title 52, Section 6 of the Code of Alabama 1940, as amended, in relation to the composition of the state board of education and the terms of the members thereof.

Education.

By Messrs. Warren and Crawford:

H. 421. To repeal Act No. 1196, H. J. R. 223, approved September 16, 1971, which authorized additional staff for the presiding officers of each house of the legislature and for the legislative committee of public accounts.

Judiciary.

By Messrs. Ellis, Cauthen and Owens:

H. 422. To amend Act 171, H. 31, Special Session 1967, (Acts 1967, p. 218) which requires operators and passengers riding two wheel motorized vehicles to wear protective helmets, prescribes standards for helmets that may be worn, provides for testing such helmets, prohibits the sale in this state of substandard helmets, imposes responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribes penalties so as to prescribe additional requirements.

Highway Safety.

By Messrs. Ellis, Cauthen and Owens:

H. 423. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

Highway Safety.

By Messrs. Ellis, Cauthen and Owens:

H. 424. To amend Section 70 of Title 36, of the 1940 Code of Alabama as amended, which refers to the penalty for violation by persons whose license or driving privilege has been cancelled, suspended, or revoked.

Judiciary.

By Messrs. Ellis, Cauthen and Owens:

H. 425. To amend further Act No. 516, H. 769, Regular Session 1949, (Acts 1949, p. 740) regulating operation of vehicles on the highways, so as to further regulate the operation of such vehicles.

Judiciary.

By Messrs. Ellis, Cauthen and Owens:

H. 426. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, animal drawn vehicles and persons riding animals.

Highway Safety.

By Messrs. Ellis, Cauthen and Owens:

H. 427. To prohibit parking, stopping or standing on interstate and limited access highways.

Highway Safety.

By Messrs. Ellis, Cauthen and Owens:

H. 428. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Highway Safety.

By Messrs. Ellis, Cauthen and Owens:

H. 429. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

Judiciary.

By Messrs. Ellis, Cauthen and Owens:

H. 430. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Judiciary.

By Messrs. Ellis, Cauthen and Owens:

H. 431. To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Highway Safety.

By Messrs. Turner and Cottingham:

H. 432. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; providing for participation by the State Highway Department in the county engineer's salary.

Local Legislation No. 1.

By Mr. Hardin:

H. 433. To amend Title 13, Section 178, Code of Alabama 1940, pertaining to expenses allowed certain circuit judges.

Ways and Means.

By Mr. Hobbie:

H. 434. To require a movie or theater house that shows x rated or adults only movies, to pay a license or privilege fee of $3,000 and prescribing penalties for violation of said Act.

Public Welfare.

By Messrs. Harris, Lyons, Gloor, Callahan, Jones (F), Taylor, Hobbie, Jackson, Wise, Benton, Kinsey, Waldrop, May, Bassett, Hardin, Straiton, Therrell, Bank, Mims, Warren, Stubbs, Reed (T), Culver, St. John, Grainger, Lutz, Carter, Cross, Pruitt, Cauthen, Slate, Williams, Naramore, Cottingham, Turner, Smith (P), Mathews, McCluskey, Coshatt, Gray (F), Easters, Barkett, Connell, Snell, Brassell, Wood, Roberts, Stewart, Merrill, McDonald, Wynot, Carnes, Reid (R), Grey (D), Goodwin, Hill and Reynolds:

H. 435. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, Regular Session 1951 (Acts of Alabama 1951, p. 259) to provide certain educational benefits to dependents, children and wives of members of the Armed Forces listed as missing in action and listed as prisoners of war.

Education.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Crowe:

H. J. R. 119. WHEREAS, the mystery and speculation of the Howard Hughes' autobiography has created much question and uncertainty; and

WHEREAS, this great mystery is plaguing and troubling the minds of the great people of Alabama; and

WHEREAS, the mystery of Howard Hughes' life as a hermit and billionaire has created much excitement among the people of Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, and the Senate concurring, that a committee of six members be appointed: two by the Speaker, two by the Lieutenant Governor, one by the Sovereignty Commission, to travel the world to collect facts and information of the life and times of Howard Hughes. This committee will be charged with the laborious task of solving this great mystery and to determine if the McGraw-Hill autobiography is in fact true, and if Howard Hughes is living behind a disguise and is currently serving in the Alabama Senate.

The motion of Mr. Crowe to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 119, was lost.

And the resolution, H. J. R. 119, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Smith (P):

H. J. R. 120. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, each house shall adjourn to meet again on such day or days, between today and February 4 as are agreed upon by the two houses; but that both houses shall meet on February 4 and when they adjourn on said February 4, they adjourn sine die.

The motion of Mr. Smith (P) to suspend the rules in order to take up for immediate consideration the above and foregoing resolution, H. J. R. 120 was lost, lacking a four-fifths vote.

Yeas 46; Nays 25.

Yeas:

Messrs.:	Cross	King	St. John
Adwell	Downing	Kinsey	Slate
Bassett	Ellis	Lutz	Smith (P)
Boles	Erdreich	McCluskey	Stokes
Bowers	Gloor	Naramore	Therrell
Brassell	Goodwin	Parker (T)	Turnham
Carnes	Grainger	Perloff	Waggoner
Carter	Gray (F)	Reed (T)	Waldrop
Connell	Hale	Reid (R)	Wallace
Coshatt	Hardin	Reynolds	Warren
Cottingham	Hill	Roberts	Wood
Crawford	Jones (E)	Robertson	—46

Nays:

Mr. Speaker	Grey (D)	Merrill	Stubbs
Bank	Harris	O'Daniel	Taylor
Benton	Headley	Owens	Timmons
Crowe	Hobbie	Smith (K)	Turner
Culver	Jones (F)	Stewart	Williams
Dill	Lang	Straiton	Wise
Easters			

—25

And the resolution, H. J. R. 120, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gloor:

H. J. R. 121. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, February 1, 1972.

On motion of Mr. Gloor, the rules were suspended and the resolution, H. J. R. 121, was adopted.

Also:

By Messrs. Therrell and Culver:

H. J. R. 122. COMMENDING LEE ROY JORDAN FOR HIS OUTSTANDING PERFORMANCE IN THE SUPER BOWL

WHEREAS Lee Roy Jordan, former University of Alabama All American football player and presently an outstanding middle linebacker for the Dallas Cowboys professional football team, played an outstanding game against the Miami Dolphins in the Super Bowl and contributed immeasurably to his team's success in winning the world's professional football championship; and

WHEREAS Lee Roy Jordan's name is equivalent to the State of Alabama and University of Alabama football by football fans all over the country; and

WHEREAS he has continued his outstanding play in the National Football League and is known throughout the league for his tremendous defensive skills and inspiring leadership; and

WHEREAS the people of Alabama through this Legislature wish to express its appreciation and admiration to Lee Roy Jordan and to wish him further success as the leader of the world's professional championship football team; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That this body extends its heartfelt congratulations to Lee Roy Jordan for his outstanding performance in the Super Bowl game which enabled his team to win the world's professional football championship.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Lee Roy Jordan.

On motion of Mr. Therrell, the rules were suspended and the resolution, H. J. R. 122, was adopted.

CO-SPONSORS ADDED

At the request of Messrs. Mims and Warren, unanimous consent was granted to have their names added as co-sponsors to the resolution, H. J. R. 122.

MOTION IN WRITING

Mr. Bassett offered the following Motion in Writing:

Having voted on the prevailing side on which House Bill 322 was defeated, I now move for reconsideration of the vote by which it was defeated.

MOTION TO TABLE LOST

The motion of Mr. Erdreich to table the motion in writing offered by Mr. Bassett was lost.

Yeas 20; Nays 57.

Yeas:

Messrs.:	Gloor	Lutz	Stewart
Carnes	Grainger	McDonald	Taylor
Cauthen	Hale	Parker (T)	Timmons
Dill	Hill	St. John	Waldrop
Erdreich	King	Slate	Wood
Gafford			—20

Nays:

Mr. Speaker	Crowe	Jones (F)	Robertson
Adwell	Culver	Kinsey	Smith (K)
Bank	Downing	Lang	Smith (P)
Barkett	Easters	Mathews	Stokes
Bassett	Edwards	Merrill	Stubbs
Benton	Ellis	Mims	Therrell
Boles	Goodwin	Naramore	Turner
Bowers	Gray (F)	O'Daniel	Turnham
Brassell	Grey (D)	Owens	Waggoner
Callahan	Hardin	Perloff	Wallace
Carter	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Williams
Cottingham	Jackson	Reid (R)	Wise
Crawford	Jones (E)	Reynolds	Wynot
Cross			—57

The question, then, was on the adoption of the Motion in Writing offered by Mr. Bassett to reconsider the bill, H. 322, and the motion was adopted.

Yeas 58; Nays 20.

Yeas:

Mr. Speaker	Crowe	Kinsey	Smith (K)
Adwell	Culver	Lang	Smith (P)
Bank	Downing	Mathews	Stokes
Barkett	Easters	Merrill	Straiton
Bassett	Edwards	Mims	Stubbs
Benton	Ellis	Naramore	Therrell
Boles	Goodwin	O'Daniel	Turner
Bowers	Gray (F)	Owens	Turnham
Brassell	Grey (D)	Perloff	Waggoner
Callahan	Hardin	Pruitt	Wallace
Carter	Headley	Reed (T)	Warren
Connell	Hobbie	Reid (R)	Williams
Cottingham	Jackson	Reynolds	Wise
Crawford	Jones (E)	Robertson	Wynot
Cross	Jones (F)		—58

Nays:

Messrs.:	Gloor	Lutz	Stewart
Carnes	Grainger	McDonald	Taylor
Cauthen	Hale	Parker (T)	Timmons
Dill	Hill	St. John	Waldrop
Erdreich	King	Slate	Wood
Gafford			—20

H. 322 RECONSIDERED

And the bill:

H. 322. To amend the definition of a political party eligible to conduct primary elections; to amend Title 17, Sections 337 and 412, Code of Alabama, 1940, as amended; to provide that the requirement for determination of a political party be based on a percentage of the total votes cast for a county or state constitutional officer.

Was again read at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 25.

Yeas:

Mr. Speaker	Cross	Kinsey	Smith (K)
Adwell	Culver	Lang	Smith (P)
Bank	Downing	McCluskey	Stokes
Barkett	Easters	Mathews	Straiton
Bassett	Edwards	Merrill	Stubbs
Benton	Ellis	Mims	Therrell
Boles	Goodwin	Naramore	Turner
Bowers	Gray (F)	O'Daniel	Turnham
Brassell	Grey (D)	Owens	Waggoner
Burgess	Hardin	Perloff	Wallace
Callahan	Headley	Pruitt	Warren
Carter	Hobbie	Reed (T)	Williams
Connell	Jackson	Reid (R)	Wise
Cottingham	Jones (E)	Reynolds	Wynot
Crawford	Jones (F)	Robertson	—59

Nays:

Messrs.:	Gafford	Lutz	Snell	
Carnes	Gloor	McDonald	Stewart	
Cauthen	Grainger	Parker (T)	Taylor	
Coshatt	Hale	Roberts	Timmons	
Crowe	Harris	St. John	Waldrop	
Dill	Hill	Slate	Wood	
Erdreich	King			—25

BILLS ON THIRD READING

And the bill:

S. 133. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Having been postponed from the Nineteenth Legislative Day, was taken up.

Mr. Grainger offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 1392, H. 2307, Regular Session 1971, is hereby amended to read:

"Section 3. The Personnel Board shall appoint a Personnel Director whose duty it shall be to act in the capacity of director for the personnel system. The Personnel Director may be dismissed only for just cause by the Personnel Board and said dismissal shall be effected by the filing with the said Personnel Director of written statement specifying the reasons for such dismissal. The Personnel Director shall act as secretary at board meetings, and shall be the board's executive officer, but shall not have a vote in determining the board's policy. He shall perform such duties

as are assigned to him by the board. The compensation of the Director shall be fixed by the Personnel Board. The Director shall:

(a) Attend all meetings of the Personnel Board.

(b) Administer all provisions of this Act and the rules established hereunder, not specifically reserved to the Personnel Board.

(c) Under the direction of the Board, prepare rules and revisions and amendments thereof for the consideration of the Board."

Section 2. Section 4 of Act No. 1392, H. 2307, Regular Session 1971, is hereby amended to read:

"Section 4. The provisions of this Act shall apply to the following officers and employees in the service of the county:

(a) All employees of the county tax assessor;

(b) All employees of the county tax collector;

(c) All employees of the county sheriff;

(d) All employees of the Circuit Court Clerk;

(e) All employees of the Circuit Court Register;

(f) All employees of the County Court;

(g) All Assistant District Attorneys and all employees of the Circuit District Attorney;

(h) The Director of the County License Department and all employees of the Director;

(i) Employees of the Board of Registrars' Office;

(j) All employees of the Probate Judge's Office;

(k) All employees of the Circuit Court, excepting and not including Circuit Court Reporters and Bailiffs;

(l) All Probation Officers of the Circuit Court;

(m) All other officers and employees in the service of the county except;

(i) Elective officers;

(ii) Members of appointive boards, commissions and committees;

(iii) All employees or appointees of the county board of education, or persons engaged in the profession of teaching or in supervising teaching in the public schools;

(iv) Attorneys, physicians, surgeons and dentists who with the express or implied permission of any appointing authority or of the county, hold themselves out for employment by others in the same or a like line of work as that performed by them for such appointing authority;

(v) The Personnel Director provided for by this Act;

(vi) Persons in the "classified service" within the meaning of and subject to the State of Alabama merit system under any present or future law, and so long as any such law remains effective;

(vii) The Register of the Circuit Court.

Offices, positions and employments specifically designated above as coming within the scope of this Act, and other offices, position and employments not exempted above, shall constitute the classified service of the county. It is intended hereby to include within the classified service all offices, positions and employments now existing, or as they may hereafter exist, in whole or in part from funds of any such county, or the holders of which receive their compensation from any elected official and perform duties pertaining to the office of such elected official or officer except those hereinabove exempted in this Section. It shall be made mandatory, upon the enactment of this Bill into law, that all employees hereinbefore designated as included within the "classified service" of the county shall be so included."

Section 3. Any provisions of said Act to the contrary notwithstanding, no person shall be employed or dismissed from a position as court reporter or bailiff of any court in any such county except by the consent of the judge under whose supervision such person is to work or does work as a court reporter or bailiff.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws, general, local or special, including laws pertaining to personnel salary or salary allowances, which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	St. John
Adwell	Downing	King	Slate
Bank	Easters	Kinsey	Smith (K)
Barkett	Edwards	Lang	Smith (P)
Bassett	Ellis	Lutz	Snell
Benton	Erdreich	McCluskey	Stokes
Boles	Gafford	McDonald	Straiton
Bowers	Gloor	Mathews	Taylor
Brassell	Goodwin	May	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Owens	Waggoner
Carter	Hale	Parker (T)	Waldrop
Cauthen	Hardin	Pruitt	Wallace
Connell	Harris	Reed (T)	Warren
Coshatt	Hill	Reid (R)	Williams
Cottingham	Hobbie	Reynolds	Wise
Crawford	Jackson	Roberts	Wood
Cross	Jones (E)	Robertson	Wynot
Culver			

—77

And the bill, S. 133, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill:

H. 316. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Chilton County, and the regulation of costs and charges of courts in said county.

Was taken up.

Mr. Williams offered the following amendment to the bill:

In the title strike out the words, "Chilton County," and insert in lieu thereof the words: Chilton, Dale and Jackson Counties

Also in the title strike out the word, "county," which is the last word therein, and insert in lieu thereof the word: counties

In Section 1 strike out in its entirety the Proposed Amendment, and insert in lieu thereof the following:

Proposed Amendment

If a majority of the qualified electors of Chilton County, of Dale County or of Jackson County who vote thereon upon its submission approve of this article of amendment then any law changing the method of compensating an officer of such county, enacted before the ratification of this amendment shall become effective immediately or pursuant to the terms of such act, if such act prescribes a later date. If a majority of the qualified electors of Chilton County, of Dale County or of Jackson County voting upon its submission do not approve this article of amend-

ment then no law changing the method of compensating any officials of the county in which the vote was unfavorable shall become effective unless such law is later approved by a majority of the qualified electors of such county who vote thereon at a referendum election held for such purpose. Except as herein provided the legislature may from time to time, by general or local law, fix, alter and regulate the fees, commissions, percentages, allowances and compensation to be charged and received by any official of Chilton County, of Dale County or of Jackson County, including the right to place any of such officers on a salary, provide for the operation of their respective offices on such basis, and provide that any and all fees, commissions, percentages or allowances charged or collected by them shall be paid into the county treasury. No law shall, however, be effective to diminish the compensation of any such officer of either county during the term for which he shall have been elected or appointed.

The Legislature may also, from time to time, by general, special or local laws, fix, regulate and alter the costs and charges of courts in Chilton County, or in Dale County or in Jackson County, and the method of disbursement thereof.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill, H. 316, as thus amended:

H. 316. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Chilton, Dale and Jackson Counties, and the regulation of costs and charges of courts in said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill:

H. 381. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill:

S. 138. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting acts.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill:

S. 153. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, to provide further for the compensation of members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Grainger
Adwell	Carnes	Dill	Gray (F)
Bank	Carter	Downing	Grey (D)
Barkett	Cauthen	Easters	Hale
Bassett	Connell	Edwards	Hardin
Benton	Coshatt	Ellis	Harris
Boles	Cottingham	Erdreich	Headley
Bowers	Crawford	Gafford	Hill
Brassell	Cross	Gloor	Hobbie
Burgess	Crowe	Goodwin	Jackson

Jones (E)	Mims	Slate	Turner
Jones (F)	Naramore	Smith (K)	Turnham
King	Owens	Smith (P)	Waggoner
Kinsey	Parker (T)	Snell	Waldrop
Lang	Pruitt	Stewart	Wallace
Lutz	Reed (T)	Stokes	Warren
McCluskey	Reid (R)	Straiton	Williams
McDonald	Reynolds	Stubbs	Wise
Mathews	Roberts	Taylor	Wood
May	Robertson	Therrell	Wynot
Merrill	St. John	Timmons	—83

And the bill:

S. 154. To repeal Act No. 290, H. 418, 1965 Regular Session, entitled, "An Act Relating to counties having populations of not less than 100,000 and not more than 115,000 according to the most recent federal decennial census; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties."

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill:

H. 359. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adwell	Bassett	Bowers	Callahan
Bank	Benton	Brassell	Carnes

Carter	Grainger	Mathews	Stewart
Cauthen	Gray (F)	May	Stokes
Connell	Grey (D)	Merrill	Straiton
Coshatt	Hale	Mims	Stubbs
Cottingham	Hardin	Naramore	Taylor
Crawford	Harris	Owens	Therrell
Cross	Headley	Parker (T)	Timmons
Crowe	Hill	Pruitt	Turner
Culver	Hobbie	Reed (T)	Turnham
Dill	Jackson	Reid (R)	Waggoner
Downing	Jones (E)	Reynolds	Waldrop
Easters	Jones (F)	Roberts	Wallace
Edwards	King	Robertson	Warren
Ellis	Kinsey	St. John	Williams
Erdreich	Lang	Slate	Wise
Gafford	Lutz	Smith (K)	Wood
Gloor	McCluskey	Smith (P)	Wynot
Goodwin	McDonald	Snell	

—83

And the bill:

H. 354. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an additional legal stenographer for the District Attorney in certain counties classified on a population basis.

Was taken up.

Mr. Parker (T) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Be It Enacted by the Legislature of Alabama:

Section 1. In any counties having a population of not less than 110,000 and not more than 150,000 according to the last or any subsequent federal decennial census, any office of Legal Stenographer of the District Attorney of such county which has heretofore been established and provided for is hereby made subject to the civil service or merit system Act of such county. The salary of such office shall not be changed by this Act. Immediately upon passage and approval of this Act, the District Attorney shall appoint a competent qualified person to the office of Legal Stenographer of the District Attorney of such county, such Legal Stenographer to have civil service status and be removable by the District Attorney only for cause in accordance with the civil service or merit system of such county. However, any subsequent vacancy in such office shall be filled in the manner of vacancies in other offices covered by the civil service or merit system of such counties. Such Legal Stenographer

shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury sessions, and shall do so at such times as may be deemed desirable by the District Attorney of such counties.

Section 2. Further, in such counties, the position of Assistant Legal Stenographer of the District Attorney of such county is hereby established and provided for. Such Assistant Legal Stenographer shall assist the Legal Stenographer of the District Attorney of such county in the conduct of the duties and responsibilities of that office and shall act as such officer in the absence of such officers, and shall act under the direction of the District Attorney and of said Legal Stenographer in carrying out such duties. The Assistant Legal Stenographer shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury, and shall do so at such times as may be deemed desirable by the District Attorney of such county.

The District Attorney of such county shall, subject to the civil service or merit system Act of such county, appoint such Assistant Legal Stenographer, whose compensation shall be established by the civil service or merit system board of such county, which shall be paid by the county governing body of such county as salaries of other employees and officers of such county are paid.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

And the bill, H. 354, as thus amended:

Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Bank	Easters	Lang	Snell
Barkett	Edwards	Lutz	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McDonald	Straiton
Boles	Gafford	Mathews	Stubbs
Bowers	Gloor	May	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Owens	Turnham
Carter	Hale	Parker (T)	Waggoner
Cauthen	Hardin	Pruitt	Waldrop
Connell	Harris	Reed (T)	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hill	Reynolds	Williams
Crawford	Hobbie	Roberts	Wise
Cross	Jackson	Robertson	Wood
Crowe	Jones (E)	St. John	Wynot
Culver	Jones (F)	Slate	—83

RECESS

On motion of Mr. Turnham, the House recessed for ten minutes in order for the Standing Committee on Education to meet.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

UNANIMOUS CONSENT

At the request of Mr. Burgess, unanimous consent was granted for reporting bills out of committee.

BILLS ON SECOND READING

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 272. To amend Section 5 of Act No. 202, Acts of Alabama, Regular Session, 1953, as amended by Act No. 653, Acts of Alabama, Regular Session, 1965.

H. 303. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 332 (With Amendment). Relating to Education; to require all public school principals within the State to report all acts of violence or threatened acts of violence where the aid or assistance of law enforcement officers is either required or requested, to the State Superintendent of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 190. To amend Act No. 1945, H. 584, of the Regular Session of 1971, which authorizes the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

BILLS ON THIRD READING RESUMED

And the bill:

H. 281. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Connell	Ellis	Headley
Adwell	Coshatt	Erdreich	Hill
Barkett	Cottingham	Gafford	Hobbie
Bassett	Crawford	Gloor	Jones (E)
Boles	Cross	Goodwin	Jones (F)
Bowers	Crowe	Grainger	King
Callahan	Dill	Gray (F)	Lang
Carnes	Downing	Grey (D)	Lutz
Carter	Easters	Hale	McDonald
Cauthen	Edwards	Hardin	Mathews

Merrill	Reed (T)	Stewart	Waggoner	
Mims	Reid (R)	Stokes	Waldrop	
Naramore	Reynolds	Straiton	Warren	
O'Daniel	Roberts	Stubbs	Williams	
Owens	St. John	Therrell	Wood	
Parker (T)	Slate	Timmons	Wynot	
Pruitt	Smith (P)	Turner		—67

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 48. MOURNING THE DEATH OF DR. E. O. MAJURE.

Also:

S. 15. Amending Act Number 624, Alabama Laws, Regular Session, 1965, as amended by Act Number 121, Alabama Laws, Regular Session, 1969, providing for the recitation of the draftsman of certain instruments, so as to give such Acts statewide effect.

Also:

S. 19. Limiting the Duration of Contracts for the Sale of Land and Limiting the Notice of Contracts for the Sale of Land recorded Either before or After the Effective Date of this Act.

Also:

S. 20. To limit the duration of options to purchase land and the duration of notice of options heretofore or hereafter recorded.

Also:

S. 21. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

Also:

S. 105. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Fourteenth Judicial Circuit of Alabama.

Also:

S. 119. To provide for a State supplement to the Deputy District Attorney in the Thirty-first Judicial Circuit.

Also:

S. 123. To provide staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs in all cities having a population of not less than 70,000 nor more than 135,000 inhabitants, according to the most recent federal decennial census, which have a commission form of government.

Also:

S. 126. Providing further for the operation and functioning of the Court of Common Pleas of Lee County; authorizing and providing for an additional expense allowance for the judge of such court; authorizing and regulating the employment of certain officers, clerks and other assistants and employees for the court; and providing for the payment of their salaries and certain expenses out of the county treasury.

Also:

S. 132. To amend Act No. 403, H. 330, Regular Session 1971, approved August 19, 1971, amending Section 18 of said Act in relation to the counties in which the Act shall not apply.

Also:

S. 134. Relating to counties having a population of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; to provide that the members of the county board of education be paid an expense allowance of $50 a month.

Also:

S. 136. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 2 and 11, Township 16N, Range 18E, Montgomery County, Alabama.

Also:

S. 146. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Also:

S. 147. To provide that the Judge of the Inferior Court of DeKalb County shall receive as a salary the sum of $6,900.00 per year.

Also:

S. 158. To amend the title and Section 1 of Act No. 520, H. 213, Regular Session 1971, approved August 31, 1971, which Act provides an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census; so as to provide that such expense allowance shall be paid to the Chairman of the Board of County Commissioners instead of the Probate Judge.

Also:

S. 166. Relating to counties having a population of not less than 38,100 nor more than 40,500 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said county.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

And the bill:

H. 282. Relating to the operation of vehicles in this state; amending further Code of Alabama 1940, Title 36, Sections 2 and 3, so as to provide that the driving anywhere in the state, not just on highways, of vehicles of all kinds, not just motor vehicles, by persons under the influence of any narcotics or drug or by intoxicated persons or the driving thereof recklessly shall be offenses proscribed by such sections.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Easters	Lang	Slate
Adwell	Edwards	Lutz	Smith (K)
Barkett	Ellis	McCluskey	Snell
Bassett	Gafford	McDonald	Stokes
Boles	Goodwin	Mims	Straiton
Bowers	Grainger	Naramore	Stubbs
Brassell	Gray (F)	O'Daniel	Taylor
Callahan	Grey (D)	Owens	Therrell
Carnes	Hale	Parker (T)	Timmons
Carter	Hardin	Pruitt	Turner
Cauthen	Harris	Reed (T)	Waggoner
Connell	Headley	Reid (R)	Waldrop
Crawford	Hill	Reynolds	Wallace
Cross	Hobbie	Roberts	Warren
Crowe	Jones (E)	Robertson	Williams
Dill	Jones (F)	St. John	Wynot
Downing	King		—66

MOTION TO ADJOURN LOST

The motion of Mr. Robertson that the House adjourn until 2:00 o'clock p. m., Tuesday, February 1, 1972, was lost.

Yeas 12; Nays 59.

Yeas:

Messrs.:	Cottingham	Merrill	Stokes
Bank	McDonald	Reed (T)	Timmons
Barkett	Mathews	Robertson	Wood
Burgess			—12

Nays:

Mr. Speaker	Downing	Lutz	Snell
Adwell	Easters	McCluskey	Stewart
Bassett	Ellis	May	Straiton
Boles	Goodwin	Mims	Stubbs
Bowers	Grainger	Naramore	Taylor
Brassell	Grey (D)	Owens	Turner
Carnes	Hale	Parker (T)	Turnham
Cauthen	Hardin	Pruitt	Waggoner
Connell	Headley	Reid (R)	Waldrop
Coshatt	Hill	Reynolds	Wallace
Crawford	Hobbie	Roberts	Warren
Cross	Jackson	St. John	Williams
Crowe	Jones (E)	Slate	Wise
Culver	Jones (F)	Smith (K)	Wynot
Dill	Lang	Smith (P)	—59

BILLS ON THIRD READING RESUMED

And the bill:

H. 283. Relating to the suspension of drivers' licenses; amending Section 68 of Title 36 so as to stay certain suspension orders pending a hearing upon request of the licensee.

Was taken up.

MOTION TO POSTPONE LOST

The motion of Mr. Owens to indefinitely postpone the bill, H. 283, was lost.

Yeas 16; Nays 47.

Yeas:

Messrs.:	Ellis	King	Mims
Bassett	Grainger	Lang	O'Daniel
Cauthen	Headley	Lutz	Owens
Cottingham	Jackson	Mathews	Warren
Edwards			—16

Nays:

Messrs.:	Crowe	Merrill	Stewart
Bank	Dill	Naramore	Stokes
Bowers	Downing	Parker (T)	Straiton
Brassell	Erdreich	Reed (T)	Taylor
Burgess	Goodwin	Reid (R)	Timmons
Callahan	Gray (F)	Reynolds	Turner
Carnes	Grey (D)	Roberts	Turnham
Carter	Hale	Robertson	Waggoner
Connell	Hardin	St. John	Waldrop
Coshatt	Hill	Slate	Williams
Crawford	Jones (E)	Smith (K)	Wood
Cross	McDonald	Smith (P)	Wynot
			—47

And the bill, H. 283, was read a third time at length and lost, lacking a two-thirds vote.

Yeas 45; Nays 30.

Yeas:

Messrs.:	Dill	Parker (T)	Stokes	
Bank	Downing	Reed (T)	Straiton	
Bowers	Erdreich	Reid (R)	Taylor	
Brassell	Gafford	Reynolds	Timmons	
Burgess	Goodwin	Roberts	Turner	
Callahan	Gray (F)	Robertson	Turnham	
Carnes	Grey (D)	St. John	Waggoner	
Carter	Hale	Slate	Waldrop	
Coshatt	Hill	Smith (K)	Williams	
Cross	McDonald	Smith (P)	Wood	
Crowe	Merrill	Stewart	Wynot	
Culver	Naramore			—45

Nays:

Mr. Speaker	Ellis	Lutz	Pruitt	
Bassett	Grainger	McCluskey	Snell	
Benton	Hardin	Mathews	Stubbs	
Cauthen	Headley	May	Therrell	
Connell	Hobbie	Mims	Wallace	
Cottingham	Jackson	O'Daniel	Warren	
Crawford	King	Owens	Wise	
Edwards	Lang			—30

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. King, the rules were suspended in order to bring up out of order the bill, H. 330.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Smith (P)	
Adwell	Downing	Lutz	Snell	
Bank	Easters	McCluskey	Stewart	
Barkett	Edwards	McDonald	Stokes	
Bassett	Ellis	Mathews	Straiton	
Boles	Erdreich	May	Stubbs	
Bowers	Gafford	Merrill	Taylor	
Brassell	Gloor	Mims	Therrell	
Burgess	Goodwin	Naramore	Timmons	
Callahan	Grainger	O'Daniel	Turner	
Carnes	Gray (F)	Owens	Turnham	
Carter	Grey (D)	Parker (T)	Waggoner	
Cauthen	Hale	Pruitt	Waldrop	
Connell	Hardin	Reid (R)	Wallace	
Coshatt	Headley	Reynolds	Warren	
Cottingham	Hill	Roberts	Williams	
Crawford	Hobbie	Robertson	Wise	
Cross	Jackson	St. John	Wood	
Crowe	Jones (E)	Slate	Wynot	
Culver	Jones (F)	Smith (K)		—79

And the bill:

H. 330. To amend Act No. 47, H. 29 of the Regular Session of 1951 (Acts of 1951, v. 1, p. 259), as amended, which is known as the

Alabama G. I. and Dependents' Educational Benefit Act, so as to provide for an extension of the time for initiating a course of instruction without the payment of tuition or fees for servicemen on active duty in the United States Armed Forces and stationed outside the State of Alabama during the period of his eligibility for benefits under this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Smith (K)
Adwell	Easters	Lang	Smith (P)
Bank	Edwards	Lutz	Snell
Barkett	Ellis	McCluskey	Stewart
Bassett	Erdreich	McDonald	Stokes
Benton	Gafford	May	Straiton
Boles	Gloor	Merrill	Stubbs
Bowers	Goodwin	Mims	Taylor
Brassell	Grainger	Naramore	Therrell
Burgess	Gray (F)	O'Daniel	Timmons
Callahan	Grey (D)	Owens	Turner
Carnes	Hale	Parker (T)	Turnham
Carter	Hardin	Pruitt	Waggoner
Connell	Headley	Reed (T)	Waldrop
Coshatt	Hill	Reid (R)	Wallace
Cottingham	Hobbie	Reynolds	Warren
Crawford	Jackson	Roberts	Williams
Cross	Jones (E)	Robertson	Wise
Crowe	Jones (F)	St. John	Wood
Culver	King	Slate	Wynot
Dill			—81

CO-SPONSORS ADDED

All members voting "Yea" on the bill, H. 330, were added as co-sponsors.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Cauthen, the rules were suspended in order to bring up out of order the bill, H. 299.

Yeas 76; Nays 2.

Yeas:

Mr. Speaker	Carter	Edwards	Jones (E)
Adwell	Cauthen	Ellis	Jones (F)
Bank	Connell	Erdreich	King
Barkett	Coshatt	Gloor	Kinsey
Bassett	Cottingham	Goodwin	Lutz
Benton	Crawford	Grainger	McDonald
Boles	Cross	Gray (F)	Mathews
Bowers	Crowe	Hale	May
Brassell	Culver	Hardin	Merrill
Burgess	Dill	Headley	Mims
Callahan	Downing	Hobbie	Naramore
Carnes	Easters	Jackson	O'Daniel

Owens	Robertson	Stokes	Waldrop
Parker (T)	St. John	Straiton	Wallace
Pruitt	Slate	Stubbs	Warren
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Timmons	Wise
Reynolds	Snell	Turner	Wood
Roberts	Stewart	Waggoner	Wynot

—76

Nays: Messrs. Gafford and Hill —2

And the bill:

H. 299. (With Substitute): To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Intergovernmental Cooperation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the

filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act, and the expenses of the Commission not to exceed $10,000.00 each fiscal year.

Be It Enacted by the Legislature of Alabama:

Section 1. A State Commission on Salaries hereby is established for the purpose of assisting the Legislature of Alabama in setting the salaries or compensation of constitutional state officers (but not county officers), justices and judges of state courts (but not judges of county courts), and the following state officers, offices and positions: Administrator, Alcoholic Beverage Control Board; Commissioner of Corrections; Commissioner of Revenue; Commissioner of the State Department of Pensions and Security; Director of Conservation; Director of Development; Director of Finance; Director of Industrial Relations; Director of Labor; Director of Publicity; Director of Public Safety; Director of State Docks; Executive Secretary to the Governor; Governor's Legal Adviser; Highway Director; Pardon & Parole Board; Public Service Commission; Securities Commissioner; State Health Officer; State Mental Health Officer; Superintendent of Banks; Superintendent of Education; and Superintendent of Insurance.

Where the words, "officers, offices or positions", or any one of them hereinafter appear in this Act, it is intended to include all officers, justices, judges, offices and positions mentioned or listed or referred to in this Section.

Where the words, "constitutional state officers" or similar words appear herein, it is intended to include only those officers listed in Section 116 of the Constitution of Alabama and Amendment No. 282 to the Constitution of Alabama and the Speaker of the House of Representatives.

Section 2. The Commission shall be composed of nine (9) members: three (3) of whom shall be appointed by the Governor, at least one of whom shall be experienced in labor-management relations; two (2) by the Lt. Governor, at least one of whom shall be engaged in the field of business finance or business management; two (2) by the Speaker of the House; and two (2) by the Chief Justice of the Supreme Court. The terms of the commissioners shall be six (6) years. Of the initial appointees, the three who are appointed by the Governor shall be appointed for two (2) years; three (two by the Lt. Governor and one by the Speaker of the House) shall be appointed for four (4) years; three (two by the Chief Justice and one by the Speaker) shall be appointed for six (6) years. The initial appointments shall be made within 20 days after this Act becomes effective. The Commission shall meet immediately after a majority of its members have been appointed. The members of the Commission shall be eligible for re-appointment and any vacancy in the membership shall be filled by the appointing officer, who originally appointed the member who has caused the vacancy, within 20 days after the vacancy occurs. The members of the Commission shall elect one of their members as Chairman at their first meeting, and every two years thereafter. The Commission shall take no action or make a determination without concurrence of a majority of the members appointed and serving on the Commission. No member or employee of the legislative, judicial or executive branch of the state government, or its political sub-divisions, shall be eligible to be a member of the Commission. Each

member of the Commission shall be paid at the rate of Twenty-five Dollars for each day such members is engaged upon the work of the Commission and shall be reimbursed for their actual and necessary expenses, including travel, lodging, food and other expenses, incurred in the performance of their duties, within or outside the state. Travel outside the state must be approved by the Chairman or majority vote of the Commission, in advance of such travel.

Section 3. The Director of the State Personnel Board shall serve as Secretary to the Commission and shall provide record-keeping facilities, research facilities, and other facilities as needed from personnel within his department, and such other assistance, which the Commission may request. The Commission may call upon the services of any agency of the state for assistance and such agency shall give priority to such request from its personnel. The Commission is authorized and empowered to employ consultants and staff personnel, either on a full time or part time basis, at compensation to be fixed by the Commission, if the Commission deems it necessary, and to reimburse the actual expenses of such consultants and staff personnel, including expenses of travel, food, lodging and other expenses, in order to accomplish the objectives of the Commission. All per diem payments and expenses of the members of the Commission, all compensation and expenses paid to consultants and staff personnel, and all other expenses incurred by the Commission in the performance of its duties shall be paid from funds appropriated to the Legislature but not to exceed the amount of ten thousand dollars per fiscal year. There is hereby appropriated the sum of $10,000.00 for the fiscal year ending September 30, 1972 and for each fiscal year thereafter.

Section 4. The individual salaries or compensation, which are paid from the state treasury, of all state officers, justices, judges, offices and positions listed in Section 1 of this Act are hereby fixed at a sum commensurate with the duties, responsibilities and powers of their respective offices or positions, which said sum shall be determined from considerations of salaries or compensation which are being currently received by officers, justices, judges and employees serving in comparable positions with the Federal Government, other state governments, and in industry, business and the professions and shall be paid from the state treasury in the same manner and at the same time as salaries heretofore provided by law for such officers, justices, judges, offices and positions were paid. The Commission on Salaries is hereby directed, authorized and empowered to make finding of facts, including the determination of the exact amount of each such individual salary or compensation, and in making this comparative study the Commission shall utilize all available data pertaining to prevailing market rates and relating to the cost and standards of living of persons in comparable positions.

Section 5. The Commission shall furnish, as herein provided, a written report of the results and determinations of each study conducted by the Commission of the individual officers, offices and positions at least thirty days in advance of a regular session of the Legislature and shall file a report on the first day of a regular session with the Clerk of the House of Representatives and the Secretary of the Senate, except as otherwise provided herein. The said determinations made by the Commission as to the amount of the salary or compensation as to the individual officers, justices, judges, offices or positions shall be effective on October

1st next following the date of the filing of such report by the Commission or as soon thereafter as may be constitutionally permissible, unless such salary or compensation for each officer, justice, judge, office or position is rejected or altered by Act of the Legislature within fifteen legislative days or within seventy calendar days following the date of the filing of the report of the Commission, whichever occurs first. However, the first report of the Commission shall be filed on or before June 30, 1972, with the Clerk of the House of Representatives, and the Secretary of the Senate, but the first report of the Commission shall be limited to those officers, justices, judges, offices and positions who can constitutionally receive a change in salaries or compensation before July 30, 1973. The effective date of the first determinations made by the Commission as to the salary or compensation of the individual officers, justices, judges, offices or positions, shall be on October 1, 1972 or on the first date thereafter as may be constitutionally permissible (which as to some officers, justices, judges, offices and positions will be immediately following the first Monday after the second Tuesday in January, 1973). However, the State Comptroller is directed not to pay any increase in salary or compensation unless either before or after any said effective date there has occurred either a special session of the legislature during which the legislature may alter or reject by legislative act the first said determinations without regard to the number of legislative days or calendar days, or a regular session of the legislature, during which the legislature may reject or alter by legislative act said first determinations within fifteen legislative days. In the event there is no rejection or alteration of such first determinations at either a special session or a regular session in the manner and within the time herein prescribed, then the State Comptroller is authorized and directed to pay over to each such officer, justice, judge, office or position such sum as has accrued from such effective date, herein mentioned, of any increase, and thereafter to pay to such officers, justices, judges, offices or positions the amount of salary or compensation as set by the determination of the Commission in the same manner as other state officers or employees are paid. If there be an alteration by the legislature of the said first determinations then the effective date for such alterations shall be October 1, 1972 or the first date thereafter as is constitutionally permissible. The provisions of the report of the Commission are severable. If any such salary or compensation is altered or rejected by an Act of the Legislature, or should any salary, compensation or act of the Commission or any provision or portion of the report of the Commission be declared invalid or unconstitutional, such alteration, rejection or declaration shall not affect the salaries or compensation of other officers, justices, judges, offices or positions, or the parts of the report which remain. Should the Commission fail to report on the salary or compensation of any officers, justices, judges, offices or positions about which it has responsibilities, then such failure shall not affect the legality of the salary or compensation of these officers, justices, judges, offices or positions about which it does report, and the salary or compensation of such unreported officers, offices or positions shall remain at the sum theretofore fixed or at such sum as may be fixed by law. Should the Legislature reject or alter the salary of any officers, justices, judges, offices or positions within the time herein prescribed, then the salary of such officers, offices, justices, judges or positions shall remain the same as theretofore fixed by law or shall be in such amount as fixed by Act of the Legislature.

A copy of any report of said Commission shall be furnished to the

offices of the Governor, Chief Justice of the Supreme Court, the Lt. Governor, the Speaker of the House of Representatives, Secretary of State, Director, Department of Finance, and the State Comptroller. Should any one or more of the offices in which a copy of said report is to be furnished be vacant, then it is not necessary to furnish a copy to such office or offices. On the copy of each report furnished to the office of the Secretary of State there should be a certificate reciting that copies of such report have been furnished to the other offices.

Section 6. The salaries or compensation of any officers, justices, judges, offices or positions, which are determined under the provisions of this Act, shall be paid at the same time, and in the same manner, and out of the General Fund or such other funds from which the salaries or compensation heretofore provided by law for each such officers, justices, judges, offices and positions were paid and sufficient monies necessary to pay the full amount of each such salaries or compensation are appropriated out of the State Treasury for this purpose for each fiscal year hereafter. The said salaries or compensation set by the Commission shall have the same effect upon appropriations as if the salaries or compensation were set in a specific amount by legislative act.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Culver	Lang	Smith (K)
Adwell	Dill	Lutz	Smith (P)
Bank	Downing	McDonald	Snell
Barkett	Easters	Mathews	Stewart
Bassett	Edwards	May	Stokes
Benton	Ellis	Merrill	Straiton
Boles	Gloor	Mims	Stubbs
Bowers	Goodwin	Naramore	Taylor
Brassell	Grainger	O'Daniel	Therrell
Burgess	Gray (F)	Owens	Timmons
Callahan	Grey (D)	Parker (T)	Turner
Carnes	Hale	Pruitt	Waggoner
Carter	Hardin	Reed (T)	Waldrop
Cauthen	Headley	Reid (R)	Wallace
Connell	Hill	Reynolds	Warren
Coshatt	Hobbie	Roberts	Williams
Cottingham	Jackson	Robertson	Wise
Crawford	Jones (E)	St. John	Wood
Cross	Jones (F)	Slate	Wynot
Crowe	King		

—78

Nay: Mr. Gafford. —1

And the bill, H. 299, as thus amended:

To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act, and the expenses of the Commission not to exceed $10,000.00 each fiscal year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Dill	Kinsey	Smith (K)
Adwell	Downing	Lutz	Smith (P)
Bank	Easters	McCluskey	Snell
Barkett	Edwards	McDonald	Stewart
Bassett	Ellis	Mathews	Stokes
Benton	Erdreich	May	Straiton
Boles	Gloor	Merrill	Stubbs
Bowers	Goodwin	Mims	Taylor
Brassell	Grainger	Naramore	Therrell
Burgess	Gray (F)	O'Daniel	Timmons
Callahan	Grey (D)	Owens	Turner
Carnes	Hale	Parker (T)	Waggoner
Carter	Hardin	Pruitt	Waldrop
Cauthen	Headley	Reed (T)	Wallace
Connell	Hill	Reid (R)	Warren
Coshatt	Hobbie	Reynolds	Williams
Cottingham	Jackson	Roberts	Wise
Cross	Jones (E)	Robertson	Wood
Crowe	Jones (F)	St. John	Wynot
Culver	King	Slate	—79

Nays: Messrs. Crawford and Gafford. —2

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Grey (D) and Hobbie:

H. R. 123. COMMENDING MILO DAKIN ON HIS DEPARTURE TO THE ATLANTA CONSTITUTION.

WHEREAS Milo Dakin, who has faithfully and honestly reported the activities of this body for several years, has accepted a highly responsible and important position at the Atlanta Constitution; and

WHEREAS today's session will be the last that Milo will observe, analyze and record for the information and edification of his readers; and

WHEREAS this body deeply regrets the loss of an impartial and objective reporter, who tells it like it is, since such a man will be extremely difficult to replace; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, that we commend Milo for his dedication to the thorough and accurate presentation of facts without political or personal bias, and that we know that such a man will make his mark in the field of journalism, and will be an example to his colleagues.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Milo Dakin at his new place of employment, to the publisher of the Atlanta Constitution, and to Harold Martin, the editor and publisher of the Advertiser-Journal, as symbols of the affection and esteem in which Milo is regarded by the members of the Alabama Legislature.

On motion of Mr. Grey (D), the rules were suspended and the resolution, H. R. 123, was adopted.

Also:

By Mr. St. John:

H. J. R. 124. Be It Resolved By The House of Representatives, the Senate concurring, that when the House and Senate adjourn on Tuesday, February 1, they adjourn sine die.

MOTION TO SUSPEND RULES LOST

The motion of Mr. St. John to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 124, was lost.

Yeas 14; Nays 66.

Yeas:

Messrs.:	Erdreich	Robertson	Waldrop
Brassell	Gafford	St. John	Wood
Carnes	McDonald	Slate	Wynot
Carter	Reynolds	Stokes	—14

Nays:

Mr. Speaker	Cauthen	Easters	Headley
Adwell	Connell	Edwards	Hill
Bank	Coshatt	Ellis	Hobbie
Barkett	Cottingham	Goodwin	Jackson
Bassett	Crawford	Grainger	Jones (E)
Benton	Cross	Gray (F)	Jones (F)
Boles	Crowe	Grey (D)	King
Bowers	Culver	Hale	Kinsey
Burgess	Dill	Hardin	Lutz
Callahan	Downing	Harris	McCluskey

McCorquodale	Parker (T)	Straiton	Turnham
May	Pruitt	Stubbs	Waggoner
Merrill	Reid (R)	Taylor	Wallace
Mims	Roberts	Therrell	Warren
Naramore	Smith (K)	Timmons	Williams
O'Daniel	Snell	Turner	Wise
Owens	Stewart		—66

And the resolution, H. J. R. 124, was read and referred to the Standing Committee on Rules.

UNANIMOUS CONSENT

At the request of Mr. Owens, unanimous consent was granted to introduce a bill.

INTRODUCTION OF BILL

The following bill was introduced, read one time, and referred to the Standing Committee, as indicated:

By Mr. Owens:

H. 436. Relating to counties having a population of not less than 15,650 nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

Local Legislation No. 1.

BILLS ON THIRD READING RESUMED
MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crowe, the rules were suspended in order to bring up out of order the bill, H. 306.

And the bill:

H. 306. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Ellis	King
Adwell	Connell	Erdreich	Kinsey
Bank	Coshatt	Gafford	Lang
Barkett	Cottingham	Goodwin	Lutz
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Gray (F)	McDonald
Boles	Crowe	Hale	Mathews
Brassell	Culver	Hardin	May
Burgess	Dill	Hill	Merrill
Callahan	Downing	Jackson	Mims
Carnes	Easters	Jones (E)	Naramore
Carter	Edwards	Jones (F)	O'Daniel

Owens	Robertson	Stewart	Turner
Parker (T)	St. John	Stokes	Wallace
Pruitt	Slate	Straiton	Warren
Reid (R)	Smith (K)	Taylor	Williams
Reynolds	Smith (P)	Therrell	Wise
Roberts	Snell	Timmons	Wynot

—72

MOTION TO ADJOURN LOST

The motion of Mr. Wallace that the House adjourn until 2:00 o'clock p. m., Tuesday, February 1, 1972, was lost.

BILLS ON THIRD READING RESUMED
MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Bassett, the rules were suspended in order to bring up out of order the bill, S. 26.

And the bill:

S. 26. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Slate
Bank	Downing	King	Smith (K)
Barkett	Easters	Lang	Smith (P)
Bassett	Edwards	Lutz	Snell
Boles	Ellis	McCluskey	Stewart
Bowers	Erdreich	Merrill	Stokes
Brassell	Gafford	Mims	Straiton
Callahan	Gloor	Naramore	Stubbs
Carnes	Goodwin	O'Daniel	Taylor
Carter	Grainger	Owens	Turner
Cauthen	Gray (F)	Parker (T)	Turnham
Connell	Hardin	Reid (R)	Waggoner
Coshatt	Headley	Reynolds	Waldrop
Cottingham	Hill	Roberts	Wallace
Crawford	Jackson	Robertson	Warren
Cross	Jones (E)	St. John	Wood
Culver			

—65

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Stubbs, the rules were suspended in order to bring up out of order the bill, S. 159.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Carnes
Adwell	Benton	Brassell	Carter
Barkett	Boles	Callahan	Cauthen

Connell	Headley	Naramore	Stewart
Coshatt	Hill	O'Daniel	Straiton
Cottingham	Hobbie	Owens	Stubbs
Cross	Jackson	Pruitt	Taylor
Culver	Jones (E)	Reid (R)	Therrell
Dill	Jones (F)	Reynolds	Timmons
Downing	King	Roberts	Turner
Easters	Kinsey	Robertson	Turnham
Edwards	Lutz	St. John	Waggoner
Goodwin	Mathews	Slate	Wallace
Grainger	May	Smith (K)	Williams
Gray (F)	Merrill	Smith (P)	Wise
Grey (D)	Mims	Snell	Wood
Hardin			

—65

And the bill:

S. 159. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Was read a third time at length and passed.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker	Culver	Kinsey	Smith (K)
Adwell	Dill	Lutz	Smith (P)
Bank	Downing	Mathews	Snell
Barkett	Easters	May	Stewart
Bassett	Edwards	Merrill	Straiton
Benton	Gloor	Mims	Stubbs
Boles	Goodwin	Naramore	Taylor
Bowers	Gray (F)	O'Daniel	Therrell
Brassell	Grey (D)	Owens	Timmons
Callahan	Hardin	Pruitt	Turner
Carnes	Headley	Reid (R)	Turnham
Carter	Hill	Reynolds	Waggoner
Cauthen	Hobbie	Roberts	Wallace
Coshatt	Jackson	Robertson	Warren
Cottingham	Jones (E)	St. John	Williams
Cross	King	Slate	Wood

—64

Nay: Mr. Gafford. —1

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grainger, the rules were suspended in order to bring up out of order the bill, H. 250.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Downing
Bank	Bowers	Cottingham	Easters
Barkett	Brassell	Crawford	Edwards
Bassett	Callahan	Culver	Erdreich
Benton	Carnes	Dill	Goodwin

Grainger	Kinsey	Reynolds	Stubbs
Gray (F)	Lutz	Roberts	Taylor
Grey (D)	May	Robertson	Therrell
Hardin	Merrill	St. John	Turner
Headley	Mims	Slate	Turnham
Hill	O'Daniel	Smith (K)	Waggoner
Hobbie	Owens	Smith (P)	Wallace
Jackson	Parker (T)	Snell	Warren
Jones (E)	Pruitt	Stewart	Williams
Jones (F)	Reid (R)	Straiton	Wood
King			

—61

And the bill:

H. 250. (With Amendment): To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Conservation, said Committee amendment being as follows:

Amend H. B. 250, Section 1, by striking therefrom the word and figures "fifty ($50.00)" and insert in lieu thereof the words and figures "twenty-five ($25.00)".

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Smith (P)
Bank	Easters	May	Snell
Barkett	Edwards	Merrill	Stewart
Bassett	Erdreich	Mims	Straiton
Boles	Goodwin	O'Daniel	Stubbs
Bowers	Grainger	Owens	Taylor
Brassell	Gray (F)	Parker (T)	Therrell
Callahan	Grey (D)	Pruitt	Timmons
Carnes	Hardin	Reid (R)	Turner
Carter	Headley	Reynolds	Turnham
Cauthen	Hobbie	Roberts	Waggoner
Cottingham	Jackson	Robertson	Wallace
Crawford	Jones (E)	St. John	Warren
Cross	Jones (F)	Slate	Williams
Culver	King	Smith (K)	Wood
Dill	Kinsey		

—62

And the bill, H. 250, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Carter
Bank	Boles	Callahan	Cauthen
Barkett	Bowers	Carnes	Crawford

Cross	Hill	Owens	Stewart
Culver	Hobbie	Parker (T)	Straiton
Dill	Jackson	Pruitt	Stubbs
Downing	Jones (E)	Reid (R)	Taylor
Easters	Jones (F)	Reynolds	Therrell
Edwards	King	Roberts	Timmons
Erdreich	Kinsey	Robertson	Turner
Goodwin	Lutz	St. John	Turnham
Grainger	May	Slate	Waggoner
Gray (F)	Merrill	Smith (K)	Wallace
Grey (D)	Mims	Smith (P)	Warren
Hardin	O'Daniel	Snell	Wood
Headley			—61

And the bill:

H. 198. To amend Code of Alabama, Title 30, Section 55, so as to provide that it is good ground for challenge of a juror that he has not been a resident of the county for the last preceding year.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker	Downing	Lutz	Smith (K)
Adwell	Easters	Mathews	Smith (P)
Bank	Edwards	May	Snell
Barkett	Erdreich	Merrill	Stewart
Bassett	Goodwin	Mims	Straiton
Boles	Grainger	Naramore	Taylor
Brassell	Gray (F)	O'Daniel	Therrell
Callahan	Grey (D)	Owens	Timmons
Carnes	Hale	Parker (T)	Turner
Carter	Hardin	Pruitt	Waggoner
Connell	Hill	Reid (R)	Waldrop
Cottingham	Hobbie	Reynolds	Warren
Crawford	Jackson	Roberts	Williams
Cross	Jones (E)	Robertson	Wise
Crowe	Jones (F)	St. John	Wood
Culver	King	Slate	Wynot
Dill	Lang		—66

Nay: Mr. Cauthen. —1

And the bill:

H. 258. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adwell	Boles	Carnes	Cosbatt
Bank	Brassell	Carter	Cottingham

Crawford	Hill	O'Daniel	Stewart
Cross	Hobbie	Owens	Straiton
Dill	Jackson	Parker (T)	Taylor
Downing	Jones (E)	Pruitt	Therrell
Edwards	Jones (F)	Reid (R)	Timmons
Ellis	King	Reynolds	Turner
Erdreich	Lang	Roberts	Turnham
Goodwin	Lutz	Robertson	Waldrop
Grainger	Mathews	St. John	Warren
Gray (F)	May	Slate	Williams
Grey (D)	Merrill	Smith (K)	Wise
Hale	Mims	Smith (P)	Wood
Hardin	Naramore	Snell	Wynot

—64

And the bill:

H. 196. To make a supplemental appropriation to the Alabama Cooperative Wildlife Research Unit at Auburn University from the Alabama Forestry Commission Fund and the Game and Fish Fund in the State Treasury.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker	Easters	Lutz	Smith (K)
Adwell	Edwards	McCluskey	Smith (P)
Bank	Ellis	McDonald	Snell
Barkett	Erdreich	Mathews	Stewart
Bassett	Gafford	May	Straiton
Boles	Goodwin	Mims	Taylor
Brassell	Grainger	Naramore	Therrell
Callahan	Gray (F)	O'Daniel	Timmons
Carnes	Grey (D)	Owens	Turner
Carter	Hale	Parker (T)	Turnham
Cauthen	Hardin	Pruitt	Waggoner
Connell	Hill	Reid (R)	Wallace
Coshatt	Hobbie	Reynolds	Warren
Crawford	Jackson	Roberts	Williams
Cross	Jones (E)	Robertson	Wise
Crowe	Jones (F)	St. John	Wood
Dill	King	Slate	Wynot
Downing	Lang		

—70

Nay: Mr. Cottingham —1

CO-SPONSOR ADDED

At the request of Mr. Crowe, unanimous consent was granted to have his name added as co-sponsor to the bill, H. 196.

And the bill:

H. 178. Relating to licenses regarding the selling of live fish, fish eggs, minnows for wholesale and retail dealers.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 4.

Yeas:

Mr. Speaker	Downing	King	Roberts	
Adwell	Ellis	Lang	St. John	
Bank	Erdreich	Lutz	Smith (K)	
Barkett	Gafford	McCluskey	Smith (P)	
Bassett	Goodwin	McDonald	Snell	
Brassell	Grainger	May	Straiton	
Callahan	Gray (F)	Merrill	Therrell	
Carter	Grey (D)	Naramore	Turner	
Cauthen	Hale	O'Daniel	Turnham	
Connell	Hardin	Owens	Waggoner	
Coshatt	Hill	Parker (T)	Wallace	
Crawford	Hobbie	Pruitt	Wise	
Cross	Jackson	Reid (R)	Wood	
Crowe	Jones (E)	Reynolds	Wynot	
Dill	Jones (F)			—58

Nays:

Messrs.:				
Carnes	Robertson	Slate	Stewart	
				—4

And the bill:

H. 207. To require a movie or theater house that shows x rated or adults only movies, to pay a license or privilege fee of $2,000 and prescribing penalties for violation of said Act.

Was taken up.

H. 207 POSTPONED

On motion of Mr. Jones (F), the bill, H. 207, was postponed to the Twenty-sixth Legislative Day.

And the bill:

S. 157. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	McCluskey
Adwell	Cottingham	Grey (D)	McDonald
Bank	Cross	Hale	Mathews
Barkett	Crowe	Hardin	Merrill
Bassett	Dill	Hill	Mims
Boles	Downing	Hobbie	Naramore
Brassell	Easters	Jackson	Owens
Callahan	Ellis	Jones (E)	Pruitt
Carnes	Erdreich	Jones (F)	Reid (R)
Carter	Goodwin	King	Reynolds
Cauthen	Grainger	Lutz	Roberts

St. John	Stewart	Turner	Wallace
Slate	Straiton	Turnham	Wise
Smith (K)	Therrell	Waggoner	Wood
Smith (P)	Timmons	Waldrop	Wynot
Snell			

—61

And the bill:

H. 261. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Was taken up.

H. 261 INDEFINITELY POSTPONED

On motion of Mr. Barkett, the bill, H. 261, was indefinitely postponed.

And the bill:

H. 284. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear materials contained therein and all reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise used or useful in the production of electricity by persons regularly engaged in furnishing electricity to any person or persons from state, county and municipal taxes, licenses, fees and excises.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker	Dill	King	Slate
Adwell	Downing	Lang	Smith (K)
Bank	Easters	Lutz	Smith (P)
Barkett	Edwards	McCluskey	Snell
Bassett	Ellis	McDonald	Straiton
Boles	Erdreich	Mathews	Taylor
Brassell	Gafford	Merrill	Therrell
Burgess	Gloor	Mims	Timmons
Callahan	Goodwin	Naramore	Turner
Carnes	Grainger	Owens	Turnham
Carter	Gray (F)	Parker (T)	Waggoner
Cauthen	Grey (D)	Pruitt	Wallace
Connell	Hale	Reid (R)	Warren
Coshatt	Hardin	Reynolds	Williams
Cottingham	Hill	Roberts	Wise
Crawford	Jackson	Robertson	Wood
Cross	Jones (E)	St. John	Wynot
Crowe	Jones (F)		

—70

Nay: Mr. Stewart. —1

And the bill:

H. 246. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to St. Martin's in the Pines.

Was taken up.

Mr. Lyons offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to St. Martin's in the Pines and the Alabama Heart Association.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, is hereby amended further to read as follows:

"Sec 12(2).Y.M.H.A.(J.C.C.), Seamen's Home of Mobile, Catholic Maritime Club of Mobile, Inc., Knights of Pythias Lodges, Salvation Army, Inc., etc. All Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), and all real and personal property of all Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), the Seamen's Home of Mobile, incorporated under Act No. 145, Acts of Alabama 1844-45, the Girl Scouts of America, and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created and all real and personal property of the Girl Scouts of America, and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created, the Catholic Maritime Club of Mobile, Inc., the Knights of Pythias Lodges, the Salvation Army, Inc., and all real and personal property of the Salvation Army, Inc., Alabama sheriffs boy's ranch, and all real and personal property of Alabama sheriffs boy's ranch, all community chests and united appeal funds, and all charitable, civic, and eleemosynary organizations and institutions for whom they solicit funds, and the real and personal property of all community chests and united appeal funds, and of all charitable, civic, and eleemosynary institutions for whom they solicit funds, and the Alabama Masonic Home, the American Cancer Society, Alabama Division, Inc., and all real and personal property of American Cancer Society, Alabama Division, Inc., the New Hope Industries of Dothan, and all real and personal property of the New Hope Industries of Dothan, the North Alabama T. B. Association and the Eufaula Heritage Association, the Helping Hand Club of Anniston, and all real and personal property of the Helping Hand Club of Anniston, Birmingham Building Trades Towers of Birmingham, Alabama, a non-profit corporation, the Holy Comforter House, Inc., of Gadsden, Alabama, a non-profic corporation, St. Martin's in the Pines, and all real and personal property of St. Martin's in the Pines, the Alabama Heart Association, and all real and personal property of the Alabama Heart Association, and of any branch or department of same heretofore or hereafter organized and existing in good faith in the state of Alabama, for other than pecuniary gain and not for individual profit, when such real or personal property shall be used by such associations or non-profit corporations, their branches or departments, in and about the conducting, maintaining, operating and carrying out of the program, work, principles, objectives and policies of such associations or non-profit corporations,

their branches or departments, in any city or county of the state of Alabama, are exempt from the payment of any and all state, county and municipal taxes, licenses, fees and charges of any nature whatsoever, including any privilege or excise tax heretofore or hereafter levied by the state of Alabama or any county or municipality thereof. The receipt, assessment or collection of any fee, admission, service charge, rent, dues or any other item or charge by any such association or non-profit corporation, its branches or departments, from any person, firm or corporation for any services rendered by any such association or non-profit corporation, its branches or departments, or for use or occupancy of any real or personal property of any such association or non-profit corporation, its branches or departments, in or about the conducting, maintaining, operating and carrying out of the program, work, principles, objectives and policies of any such association or non-profit corporation, its branches or departments, shall not be held or construed by any court, agency, officer or commission of the state of Alabama, or any county or municipality thereof, to constitute pecuniary gain or individual profit by any such association or non-profit corporation, its branches or departments, or the doing of business in such a manner as to prejudice or defeat, in any manner, the right and privilege of any such association or non-profit corporation, its branches or departments, to claim or rely upon or receive the exemption of such association or non-profit corporation, its branches or departments, and of all real and personal property thereof from taxation, as herein provided.

With respect to gasoline, tobacco, playing card tax or any other tax required by law to be prepaid by the retailer, the associations, non-profit corporations or organizations exempt under this section shall pay the appropriate tax at the time purchases are made and the amount of such tax shall be refunded to such associations, non-profit corporations or organizations by the department of revenue under rules and regulations promulgated by the commissioner of revenue with respect to procedure, time and form of petition for refund."

SECTION 2. This act shall take effect immediately upon its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

And the substitute was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dill	McCluskey	Smith (P)
Bank	Downing	McDonald	Snell
Barkett	Easters	Mathews	Stewart
Benton	Edwards	May	Stubbs
Boles	Ellis	Merrill	**Therrell**
Brassell	Goodwin	Mims	Timmons
Burgess	Grainger	Naramore	Turner
Callahan	Grey (D)	Owens	Turnham
Carnes	Headley	Parker (T)	Waggoner
Carter	Hill	Pruitt	Waldrop
Cauthen	Jackson	Reid (R)	Wallace
Connell	Jones (E)	Reynolds	Warren
Coshatt	Jones (F)	Roberts	Williams
Cottingham	King	Robertson	Wise
Crawford	Kinsey	St. John	Wood
Cross	Lang	Slate	Wynot
Culver	Lutz	Smith (K)	—67

And the bill, H. 246, as thus amended:

To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to St. Martin's in the Pines and the Alabama Heart Association.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	Mathews	Stewart
Brassell	Gafford	May	Stubbs
Burgess	Goodwin	Merrill	Therrell
Callahan	Grainger	Mims	Timmons
Carnes	Grey (D)	Naramore	Turner
Carter	Headley	Owens	Waggoner
Cauthen	Hill	Parker (T)	Waldrop
Connell	Hobbie	Pruitt	Wallace
Coshatt	Jackson	Reid (R)	Warren
Cottingham	Jones (E)	Reynolds	Williams
Crawford	Jones (F)	Roberts	Wise
Cross	King	Robertson	Wood
Crowe	Kinsey	St. John	Wynot
Culver			

—69

CO-SPONSORS ADDED

At the request of Messrs. Bank, Wallace, Owens, Ellis and Culver unanimous consent was granted to have their names added as co-sponsors to the bill, H. 246.

And the bill:

H. 259. To amend Section 89, Title 36, Code of Alabama 1940 as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, ten inches.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker	Carter	Dill	Jackson
Bank	Cauthen	Downing	Jones (E)
Barkett	Connell	Easters	King
Bassett	Coshatt	Edwards	Kinsey
Benton	Cottingham	Goodwin	Lang
Brassell	Crawford	Grainger	Lutz
Burgess	Cross	Grey (D)	McDonald
Callahan	Crowe	Hardin	May
Carnes	Culver	Hill	Merrill

Mims	Robertson	Stewart	Wallace
Naramore	St. John	Therrell	Warren
Owens	Slate	Timmons	Williams
Parker (T)	Smith (K)	Turner	Wise
Reid (R)	Smith (P)	Turnham	Wood
Reynolds	Snell	Waldrop	Wynot
Roberts			

—61

Nays: Messrs. Ellis and Taylor. —2

And the bill:

H. 274. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Stewart
Adwell	Easters	Lutz	Straiton
Barkett	Edwards	McDonald	Stubbs
Bassett	Ellis	Mims	Taylor
Boles	Gloor	O'Daniel	Therrell
Brassell	Goodwin	Owens	Timmons
Callahan	Grainger	Parker (T)	Turner
Carnes	Gray (F)	Pruitt	Turnham
Carter	Grey (D)	Reid (R)	Waggoner
Cauthen	Hardin	Reynolds	Waldrop
Connell	Harris	Roberts	Wallace
Coshatt	Headley	Robertson	Warren
Cottingham	Hill	St. John	Williams
Crawford	Hobbie	Slate	Wise
Cross	Jones (E)	Smith (K)	Wood
Culver	Jones (F)	Smith (P)	Wynot
Dill	King	Snell	

—67

And the bill:

H. 276. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Boles	Coshatt	Downing
Adwell	Brassell	Cottingham	Easters
Bank	Callahan	Crawford	Edwards
Barkett	Carnes	Cross	Ellis
Bassett	Carter	Culver	Gloor
Benton	Connell	Dill	Goodwin

Grainger	Lang	St. John	Turner
Gray (F)	Lutz	Slate	Turnham
Grey (D)	McDonald	Smith (K)	Waggoner
Hardin	Mims	Smith (P)	Waldrop
Harris	O'Daniel	Snell	Wallace
Headley	Owens	Stewart	Warren
Hill	Parker (T)	Straiton	Williams
Hobbie	Reid (R)	Stubbs	Wise
Jones (E)	Reynolds	Taylor	Wynot
King	Robertson	Timmons	

—63

And the bill:

S. 117. To Amend Act No. 2, (Second Special Session) 1971. So as to change the appropriation made in Section 2,F(23) (e) thereof.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dill	Lang	Stewart
Bank	Downing	Lutz	Straiton
Barkett	Easters	McCluskey	Stubbs
Bassett	Edwards	McDonald	Taylor
Benton	Ellis	Mims	Therrell
Boles	Goodwin	Naramore	Timmons
Brassell	Grainger	Owens	Turner
Callahan	Gray (F)	Parker (T)	Turnham
Carnes	Grey (D)	Reid (R)	Waggoner
Carter	Hardin	Reynolds	Waldrop
Cauthen	Harris	Robertson	Wallace
Connell	Headley	St. John	Warren
Coshatt	Hill	Slate	Williams
Crawford	Jones (E)	Smith (K)	Wise
Cross	Jones (F)	Smith (P)	Wood
Culver	King	Snell	Wynot

—64

And the bill:

H. 225. To amend Section 2 and Section 9 of Act No. 1516, Regular Session, 1971, so as to appropriate the fees received in Section 9.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Crawford	Grey (D)	McDonald
Bank	Cross	Hardin	Mims
Bassett	Crowe	Harris	Naramore
Boles	Culver	Headley	Owens
Brassell	Dill	Hill	Parker (T)
Callahan	Downing	Hobbie	Reid (R)
Carnes	Ellis	Jones (E)	Reynolds
Carter	Flippo	Jones (F)	Robertson
Cauthen	Gafford	King	St. John
Connell	Goodwin	Lang	Slate
Coshatt	Grainger	Lutz	Smith (K)
Cottingham	Gray (F)	McCluskey	Smith (P)

Snell	Turner	Wallace	Wise
Stewart	Turnham	Warren	Wood
Straiton	Waggoner	Williams	Wynot
Timmons	Waldrop		

—62

And the bill:

H. 226. To amend Act No. 1590, Regular Session, 1971, so as to appropriate the fees received in Section 2.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker	Dill	King	Stewart
Bank	Downing	Lang	Straiton
Barkett	Ellis	Lutz	Stubbs
Bassett	Flippo	McCluskey	Taylor
Boles	Gafford	McDonald	Therrell
Brassell	Goodwin	Naramore	Timmons
Callahan	Grainger	O'Daniel	Turner
Carnes	Gray (F)	Owens	Turnham
Carter	Grey (D)	Parker (T)	Waggoner
Cauthen	Hardin	Reid (R)	Waldrop
Connell	Harris	Reynolds	Wallace
Coshatt	Headley	St. John	Warren
Cottingham	Hill	Slate	Williams
Crawford	Hobbie	Smith (K)	Wise
Cross	Jackson	Smith (P)	Wood
Crowe	Jones (E)	Snell	Wynot
Culver	Jones (F)		

—66

Nay: Mr. Robertson. —1

And the bill:

H. 227. To amend Act No. 1594, Regular Session, 1971, so as to appropriate the fees received in Section 4 and Section 13 therein.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hardin	May
Bank	Cross	Harris	Mims
Barkett	Crowe	Headley	Naramore
Bassett	Culver	Hill	O'Daniel
Boles	Dill	Hobbie	Owens
Brassell	Downing	Jackson	Reid (R)
Burgess	Edwards	Jones (E)	Reynolds
Callahan	Ellis	Jones (F)	Robertson
Carnes	Flippo	King	St. John
Carter	Gafford	Kinsey	Slate
Cauthen	Goodwin	Lang	Smith (K)
Connell	Grainger	Lutz	Smith (P)
Coshatt	Gray (F)	McCluskey	Snell
Cottingham	Grey (D)	McDonald	Stewart

Straiton	Timmons	Waldrop	Wise	
Stubbs	Turner	Wallace	Wood	
Taylor	Turnham	Warren	Wynot	
Therrell	Waggoner	Williams		—71

And the bill:

H. 251. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Smith (K)	
Bank	Dill	King	Smith (P)	
Barkett	Downing	Kinsey	Snell	
Bassett	Easters	Lang	Straiton	
Benton	Edwards	Lutz	Stubbs	
Boles	Ellis	McCluskey	Taylor	
Brassell	Gafford	McDonald	Therrell	
Burgess	Goodwin	Mathews	Timmons	
Callahan	Grainger	May	Turner	
Carnes	Gray (F)	Mims	Turnham	
Carter	Grey (D)	Naramore	Waggoner	
Cauthen	Hardin	Parker (T)	Waldrop	
Connell	Harris	Reid (R)	Wallace	
Coshatt	Headley	Reynolds	Williams	
Cottingham	Hill	Robertson	Wise	
Crawford	Hobbie	St. John	Wood	
Cross	Jackson	Slate	Wynot	
Crowe	Jones (E)			—70

And the bill:

H. 324. (With Amendments): Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Was taken up.

The question, then, was on the adoption of the amendment No. 1 reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend H. B. 324, Section 16 thereof, by adding the following sentence to said Section 16:

"Nor send a prospective employee to a company or office requesting their service where there is any form of labor dispute without first informing the prospective employee of the nature and type of labor dispute in writing, giving the prospective employee a copy and keeping a signed copy in the file on this applicant."

Further amend H. B. 324 by deleting Section 21 and inserting in lieu thereof the following Section 21:

"Section 21. There shall be an advisory board on licensing of employment agencies, which shall consist of the attorney general, who shall be ex officio chairman of the board and five persons appointed by him, who will serve without compensation. Two members of such board shall be appointed for terms of three years, two for terms of two years each and one for a term of one year. Thereafter their successors shall each be appointed for a term of three years. Upon the expiration of their terms of office, members of the board shall continue to serve until their successors are appointed and have qualified. Four members of the board shall be a duly licensed owner or active participant in an employment agency business; provided, however, members of the first board instead of being duly licensed may be only eligible for licensure under this Act. One member of the board shall be selected from a city of 250,000 or more inhabitants, one from a city having a population of over 150,000 but not as many as 250,000 and one shall be from a city having a population of more than 100,000 but not as many as 150,000 and one shall be from a city having a population of more than 50,000 but not as much as 100,000, and one shall be selected from three (3) names submitted by the State AFL-CIO Board. The board shall meet, advise and consult with the attorney general relative to the approval of rate schedules. They shall also advise with the attorney general as to the suspension of licenses granted pursuant to this Act and shall advise the attorney general on other problems relative to the employment agency business. This advisory board shall meet as soon as practicable after this Act becomes effective and the members thereof have been appointed and thereafter it shall meet on the call of the attorney general. A member of the board may be appointed to succeed himself only once, thus making it possible for any member to serve two consecutive terms and no more. No two members of the advisory board may be employed by the same firm or company."

And the amendment was adopted.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Smith (P)
Bassett	Easters	McDonald	Snell
Boles	Edwards	Mims	Straiton
Brassell	Goodwin	Naramore	Taylor
Burgess	Grainger	O'Daniel	Therrell
Callahan	Gray (F)	Owens	Timmons
Carnes	Grey (D)	Parker (T)	Turner
Carter	Hardin	Reed (T)	Waggoner
Cauthen	Harris	Reid (R)	Waldrop
Connell	Hill	Reynolds	Wallace
Coshatt	Jackson	Roberts	Williams
Cottingham	Jones (E)	Robertson	Wise
Crawford	Jones (F)	St. John	Wood
Culver	King	Slate	Wynot
Dill	Lang	Smith (K)	—59

The question, then, was on the adoption of the amendment No. 2 reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend H. B. 324, Section 2 (b) by deleting said Section 2. (b) and inserting in lieu thereof the following:

"(b) Every applicant for a license shall have been a resident of the State of Alabama for at least two years immediately preceding the filing of such application and shall have had at least one years' experience immediately preceding the filing of the application in an employment agency or a private employment agency as a placement counselor. In the case of an applicant which is a partnership or a corporation, each partner or officer thereof shall meet the same requirements of residence and experience as are applicable to individual applicants. The provisions of this subsection shall not apply, however, to any individual, partnership, or corporation licensed in the State of Alabama as an employment agency or a private employment agency prior to the effective date of this Act."

Further amend H. B. 324, Section 3, by deleting the second sentence thereof and inserting the following second sentence:

"The annual fee for a license to operate an employment agency in this State shall be $150.00 for the first license and $25.00 for each additional license issued to the same owner for each other agency."

Further amend H. B. 324, Section 3, by adding to the last sentence in Section 3 the following:

"and used to implement the provisions."

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Dill	Lang	Smith (K)
Bank	Downing	Lutz	Smith (P)
Barkett	Easters	McDonald	Snell
Bassett	Gloor	Mims	Straiton
Boles	Goodwin	Naramore	Stubbs
Burgess	Grainger	O'Daniel	Taylor
Callahan	Gray (F)	Owens	Therrell
Carnes	Grey (D)	Parker (T)	Timmons
Carter	Hardin	Reed (T)	Turner
Cauthen	Harris	Reid (R)	Waldrop
Connell	Headley	Reynolds	Wallace
Coshatt	Hill	Roberts	Williams
Cottingham	Jackson	Robertson	Wise
Crawford	Jones (E)	St. John	Wood
Cross	Jones (F)	Slate	Wynot
Culver	King		

—62

And the bill, H. 324, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Connell
Bank	Boles	Carter	Coshatt
Barkett	Callahan	Cauthen	Cottingham

Crawford	Hill	O'Daniel	Smith (K)
Cross	Hobbie	Owens	Smith (P)
Culver	Jackson	Parker (T)	Snell
Downing	Jones (E)	Pruitt	Stewart
Easters	Jones (F)	Reed (T)	Straiton
Gloor	King	Reid (R)	Taylor
Goodwin	Lang	Reynolds	Turner
Grainger	Lutz	Roberts	Williams
Gray (F)	McDonald	Robertson	Wise
Grey (D)	Mims	St. John	Wood
Hardin	Naramore	Slate	Wynot
Harris			

—57

And the bill:

S. 125. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

Was read a third time at length and passed.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Bank	Cross	King	Roberts
Barkett	Culver	Lang	St. John
Bassett	Downing	Lutz	Slate
Benton	Easters	McCluskey	Smith (K)
Boles	Edwards	McDonald	Smith (P)
Brassell	Gloor	May	Snell
Burgess	Goodwin	Mims	Stewart
Callahan	Grainger	Naramore	Stubbs
Carnes	Hardin	O'Daniel	Turner
Carter	Headley	Owens	Waggoner
Cauthen	Hill	Parker (T)	Williams
Connell	Hobbie	Pruitt	Wise
Coshatt	Jackson	Reed (T)	Wood
Cottingham	Jones (E)	Reid (R)	Wynot

—60

Nays: Messrs. Straiton and Taylor. —2

And the bill:

H. 338. To amend further Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), as amended, so as to exempt persons working for institutions of higher learning which are under the control of boards of trustees from having to secure approval of the Governor for out of state travel; providing also that Alabama State University and all other institutions of higher learning which do not have a board of trustees are also included within the provisions of this Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Easters	McCluskey	Smith (K)
Benton	Edwards	McDonald	Smith (P)
Boles	Ellis	May	Snell
Brassell	Goodwin	Mims	Straiton
Burgess	Grainger	Naramore	Stubbs
Callahan	Hardin	O'Daniel	Taylor
Carnes	Harris	Owens	Turner
Carter	Headley	Parker (T)	Turnham
Connell	Hill	Pruitt	Waldrop
Coshatt	Hobbie	Reed (T)	Williams
Cottingham	Jackson	Reid (R)	Wise
Crawford	Jones (E)	Reynolds	Wood
Cross	Jones (F)	Roberts	Wynot
Crowe	King		—62

CO-SPONSOR ADDED

At the request of Mr. Hobbie, unanimous consent was granted to have his name added as co-sponsor to the bills, H. 338 and H. 337.

And the bill:

H. 337. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones (F)	Slate
Bank	Easters	King	Smith (K)
Barkett	Edwards	Lang	Smith (P)
Bassett	Ellis	Lutz	Snell
Boles	Gafford	McDonald	Straiton
Brassell	Goodwin	May	Stubbs
Callahan	Grainger	Mims	Taylor
Carnes	Grey (D)	Naramore	Turner
Carter	Hardin	O'Daniel	Turnham
Connell	Harris	Owens	Waldrop
Coshatt	Headley	Pruitt	Warren
Cottingham	Hill	Reed (T)	Williams
Crawford	Hobbie	Reid (R)	Wise
Cross	Jackson	Reynolds	Wynot
Culver	Jones (E)	St. John	—59

And the bill:

H. 361. To amend Act No. 698, S. 45, Regular Session 1969 (Acts 1969, p. 1252), which prohibits the exposing of obscene and harmful

materials to persons eighteen years of age and older so as to exempt certain persons from the provisions of the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 4.

Yeas:

Messrs.:	Gloor	McCluskey	Smith (P)	
Bank	Goodwin	McDonald	Snell	
Barkett	Grainger	Naramore	Straiton	
Brassell	Grey (D)	Owens	Taylor	
Carnes	Headley	Parker (T)	Turner	
Cauthen	Hill	Reid (R)	Waldrop	
Connell	Jones (F)	Reynolds	Warren	
Coshatt	King	Roberts	Williams	
Culver	Lang	St. John	Wise	
Downing	Lutz	Smith (K)	Wood	
Easters				—40

Nays:

Mr. Speaker	Ellis	Gafford	Robertson	—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 275. (With Amendment): To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Public Welfare, said Committee amendment being as follows:

Section 1 of H. B. 275 is hereby amended by deleting the words "salary and" where they appear as the 4th and 5th words in the 12th line of said Section 1 and by adding the following paragraph to the end of said Section 1, viz:

All refunds to the Corrections Revolving Fund as established by this act shall be made from the Board of Corrections General Operating Fund.

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Edwards	Lang	St. John
Bank	Ellis	Lutz	Slate
Barkett	Goodwin	McDonald	Smith (K)
Bassett	Grainger	May	Smith (P)
Boles	Gray (F)	Mims	Snell
Brassell	Grey (D)	Naramore	Straiton
Callahan	Hardin	O'Daniel	Stubbs
Carnes	Harris	Owens	Taylor
Carter	Headley	Parker (T)	Turnham
Connell	Hill	Reed (T)	Waldrop
Cottingham	Jackson	Reid (R)	Warren
Cross	Jones (E)	Reynolds	Wise
Culver	Jones (F)	Roberts	Wood
Downing	King	Robertson	Wynot
Easters			

—57

And the bill, H. 275, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Easters	McDonald	Slate
Bank	Edwards	May	Smith (K)
Barkett	Ellis	Mims	Smith (P)
Bassett	Goodwin	Naramore	Snell
Brassell	Grainger	O'Daniel	Straiton
Callahan	Gray (F)	Owens	Stubbs
Carnes	Grey (D)	Parker (T)	Taylor
Carter	Hardin	Reed (T)	Turnham
Connell	Harris	Reid (R)	Waldrop
Coshatt	Hill	Reynolds	Warren
Cottingham	Jackson	Roberts	Wise
Cross	Jones (F)	Robertson	Wood
Culver	Lang	St. John	Wynot
Downing	Lutz		

—54

And the bill:

H. 312. (With Substitute): To further amend Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, which relates to certain truck and truck tractor licenses.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Commerce and Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, which relates to certain truck and truck tractor licenses.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is amended further so that the said Section 697 shall read as follows:

"Section 697. For each truck or truck tractor using the public highways of this State, annual license taxes and registration fees, based on the gross vehicle weight in pounds, are hereby imposed and shall be charged. For the purposes of this section, the term 'gross vehicle weight' shall mean the empty weight of the truck or truck tractor plus the heaviest load to be carried; and, in the case of combinations, shall be deemed to include also the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error shall be allowable under any of the provisions of this section.

"The amount of the said license tax and registration fee with respect to each truck or truck tractor shall consist of (i) the base amount applicable to that particular truck or truck tractor under the provisions of this section plus (ii) in the case of each truck or truck tractor having a gross vehicle weight in excess of 30,000 pounds, the additional amount applicable to that particular truck or truck tractor under the provisions of this section.

"(a) For each truck or truck tractor, other than those referred to in subsection (b) of this section, using the public highways of this state, the annual license taxes and registration fees herein imposed (i) shall consist of the base amount applicable to such truck or truck tractor under the schedule of base amounts set forth in this subsection (a), plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the schedule of additional amounts set forth in this subsection (a):

SCHEDULE OF BASE AMOUNTS

GROSS VEHICLE WEIGHT IN POUNDS	BASE AMOUNT
0 to 8,000	$ 13.00
8,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 30,000	75.00
30,001 to 42,000	100.00
42,001 to 52,000	150.00
52,001 to 62,000	200.00
62,001 or over	250.00

SCHEDULE OF ADDITIONAL AMOUNTS

GROSS VEHICLE WEIGHT IN POUNDS	ADDITIONAL AMOUNT
30,001 to 42,000	$ 30.00
42,001 to 52,000	45.00
52,001 to 62,000	60.00
62,001 or over	75.00

provided, that the total amount of the said annual license tax and registration fee shall be limited with respect to trucks owned and used by a farmer for transporting farm products or the personal property of the farmer for his use on his farm to a maximum of $30 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of $85 where the gross vehicle weight of the truck exceeds 30,000 but does not exceed 42,000 pounds and the said annual license tax and registration fee shall be limited with respect to trucks owned and used by any person for transporting forest products from the point of severance to a sawmill, to a papermill, or to a concentration yard to a maximum of $40 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of $65.00 where the gross vehicle weight exceeds 30,000 pounds but does not exceed 42,000 pounds.

"(b) For each truck or truck tractor, using the public highways of this state, (1) which has more than two axles when a single unit, or is used in combination with a trailer or semi-trailer, and (2) which is either (i) used to transport goods, wares, merchandise or commodities of any kind or nature, for compensation of any kind, or (ii) operated under any rental, lease or other agreement with carriers for compensation of goods, wares, merchandise or commodities, where compensation is charged under such rental, lease or other agreement, for the use of such truck or truck tractor, except trucks used for the transportation of household goods, personal furniture, other household effects, farm produce, farm products, and forest products, the annual license taxes and registration fees herein imposed shall consist of (i) the base amount applicable to such truck or truck tractor under the following schedule of base amounts plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the following schedule of additional amounts:

SCHEDULE OF BASE AMOUNTS

GROSS VEHICLE WEIGHT IN POUNDS	BASE AMOUNT
0 to 6,000	$ 13.00
6,001 to 12,000	35.00
12,001 to 18,000	60.00
18,001 to 24,000	75.00
24,001 to 30,000	200.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 to 62,000	500.00
62,001 or over	600.00

SCHEDULE OF ADDITIONAL AMOUNTS

GROSS VEHICLE WEIGHT IN POUNDS	ADDITIONAL AMOUNT
30,001 to 36,000	$ 90.00
36,001 to 42,000	120.00
42,001 to 62,000	150.00
62,001 or over	180.00

"Provided further, that for each truck or truck tractor, using the public highways of this state, (1) which has more than two axles when a single unit, or is used in combination with a trailer or semi-trailer, and (2) which is either (i) used to transport goods, wares, merchandise or commodities of any kind or nature, for compensation of any kind, or (ii), operated under any rental, lease or other agreement with carriers for compensation of goods, wares, merchandise or commodities, where compensation is charged under such rental, lease or other agreement, for the use of such truck or truck tractor used for the transportation of coal, iron ore, limestone, bauxite, sand, gravel, and commodities exempt under the Alabama Motor Carrier Act of 1939, as amended (or any one or more of the items listed in this paragraph), except trucks used for the transportation of household goods, personal furniture, other household effects, farm produce, farm products, and forest products, (including all forms and kinds of lumber, plywood and particle board) the annual license tax and registration fee shall consist of the amount applicable to each such truck or truck tractor under the following schedule:

GROSS VEHICLE WEIGHT IN POUNDS	AMOUNT
0 to 6,000	$ 13.00
6,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 24,000	75.00
24,001 to 30,000	150.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 to 62,000	450.00
62,000 or over	500.00

"Provided, that for each tractor which is operated by a for-hire motor carrier and which is operated exclusively within 15 miles of the corporate limits of the incorporated municipality in which it is customarily domiciled (but not including vehicles operating beyond the borders of Alabama) an annual license tax and registration fee of $150 is hereby imposed and shall be charged.

"(c) Every person making application for license under this section to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officers, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

"After having obtained a license under this section with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross vehicle weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classifica-

tion, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor.

"(d) Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than $3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McCluskey	Slate
Bassett	Ellis	McDonald	Smith (K)
Boles	Goodwin	May	Smith (P)
Brassell	Grainger	Mims	Snell
Callahan	Gray (F)	Naramore	Straiton
Carnes	Grey (D)	O'Daniel	Taylor
Carter	Hardin	Owens	Turner
Connell	Harris	Parker (T)	Turnham
Coshatt	Hill	Pruitt	Waldrop
Cottingham	Jackson	Reed (T)	Warren
Cross	Jones (E)	Reid (R)	Wise
Crowe	Jones (F)	Reynolds	Wood
Culver	King	Roberts	Wynot

—60

And the bill, H. 312, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	Robertson
Bank	Downing	Lutz	St. John
Barkett	Easters	McCluskey	Slate
Bassett	Edwards	McDonald	Smith (K)
Boles	Goodwin	May	Smith (P)
Brassell	Grainger	Mims	Snell
Burgess	Gray (F)	Naramore	Straiton
Callahan	Grey (D)	O'Daniel	Taylor
Carnes	Hardin	Owens	Turner
Carter	Harris	Parker (T)	Waldrop
Connell	Hill	Pruitt	Warren
Coshatt	Jackson	Reed (T)	Williams
Cottingham	Jones (E)	Reid (R)	Wise
Cross	Jones (F)	Reynolds	Wood
Crowe	King	Roberts	Wynot

—60

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P. M., On January 27, 1972:

H. 128 (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

H. 383, H. 384, H. 385, H. 386 RE-REFERRED

On motion of Mr. Mathews, the bills, H. 383, H. 384, H. 385 and H. 386 were re-referred from the Standing Committee on Ways and Means to the Standing Committee on Commerce and Transportation.

ADJOURNMENT

On motion of Mr. Hill and in accordance with H. J. R. 121 heretofore adopted, the House adjourned until 4:00 o'clock p. m., Tuesday, February 1, 1972.

TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, February 1, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor, Forest Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Culver	King	Robertson
Adwell	Dill	Kinsey	St. John
Baker	Doss	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Drake	McBride	Smith (P)
Bassett	Easters	McCluskey	Snell
Benton	Edwards	McCorquodale	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Erdreich	Manley	Straiton
Bowers	Falkenburg	Mathews	Stubbs
Brassell	Fite	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cherner	Grey (D)	O'Daniel	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker (T)	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Pruitt	Williams
Cottingham	Hobbie	Reed (T)	Wise
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (E)	Reynolds	—99

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-second legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 71. NAMING THE ELBA AIRPORT "THE CARL FOLSOM AIRPORT"

Also:

H. J. R. 72. MOURNING THE DEATH OF REPRESENTATIVE GEORGE ANDREWS

Also:

H. J. R. 80. COMMENDING THE CITY OF SUMITON, THE CITY COUNCIL, THE MAYOR AND THE CITIZENRY FOR THE DEDICATION OF THEIR NEW MUNICIPAL BUILDING

Also:

H. J. R. 81. MOURNING THE DEATH OF HENRY WARD McMILLAN

Also:

H. J. R. 82. MOURNING THE DEATH OF GEDDES SELF, SR.

Also:

H. J. R. 83. MOURNING THE DEATH OF MURRAY CHESLEY ARGO, SR.

Also:

H. J. R. 84. COMMENDING EDGAR ALLAN POE UPON HIS ELECTION AS PRESIDENT OF THE GRIDIRON CLUB

Also:

H. J. R. 89. MOURNING THE DEATH OF JOHN ED. WALLIS

Also:

H. J. R. 93. MOURNING THE DEATH OF CORBIN HARDAWAY, JR.

Also:

H. J. R. 94. MOURNING THE DEATH OF OSCAR "POP" McINTOSH SPENCER

Also:

H. J. R. 95. MOURNING THE DEATH OF ROBERT HORTON RUTLAND, JR.

Also:

H. J. R. 97. HONORING DR. ALSTON CALLAHAN FOR SERVICES AND OUTSTANDING WORK DONE IN BIRMINGHAM, ALABAMA

Also:

H. J. R. 101. COMMENDING TROOPER LYNN A. WRIGHT FOR WINNING THE "TROOPER OF THE YEAR" AWARD FOR 1971

Also:

H. J. R. 110. CONGRATULATING JACK PALMER FOR WINNING THE NATIONAL PUNT, PASS AND KICK CONTEST

Also:

H. J. R. 116. CONGRATULATING JOHN "BUBBER" TROTMAN FOR HIS ELECTION AS PRESIDENT OF THE AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION.

Also:

H. J. R. 118. CONGRATULATING MIKE BRASWELL FOR WINNING THE NATIONAL PUNT, PASS AND KICK CONTEST

Also:

H. J. R. 122. COMMENDING LEE ROY JORDAN FOR HIS OUTSTANDING PERFORMANCE IN THE SUPER BOWL

McDOWELL LEE,
Secretary.

INDEFINITELY POSTPONED

On motion of Mr. Stubbs, the bill, H. 268, was indefinitely postponed.

H. 378 RE-COMMITTED

Mr. Coshatt questioned the lack of a fiscal note on the bill, H. 378, and the Speaker re-committed the bill to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 60. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, February 1, 1972, they adjourn to meet again on Wednesday, February 2, 1972 and when they adjourn on Wednesday, they adjourn to meet again on Thursday, February 3, 1972, and when they adjourn on Thursday, they adjourn to meet again on Friday, February 4, 1972, and when they adjourn on Friday, February 4, 1972, they adjourn sine die.

McDOWELL LEE,
Secretary.

On motion of Mr. Gloor, the House concurred in and adopted S. J. R. 60 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the following House Bill:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to

any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the appointment of one director of such Authority by the members of the Alabama Legislature from such county and to provide for the initial terms of office of such Directors.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 2.

And said Bill, H. B. 54, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 2.

And said Bill, H. B. 54, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Gloor:

H. J. R. 125. TO FIX A DAY FOR HOLDING THE ELECTION ON CERTAIN CONSTITUTIONAL AMENDMENTS PROPOSED AT THE THIRD SPECIAL SESSION OF THE LEGISLATURE of 1971.

WHEREAS several amendments to the Constitution of Alabama have been proposed during the current session of the Legislature (The Third Special Session of 1971), and the Acts or resolutions proposing such amendments have provided for the submission thereof at an election to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature; and

WHEREAS the holding of a Constitutional Amendment election on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature will entail unnecessary expenses to the State and great inconvenience to the voters as such Tuesday will most likely fall late in April or early in May and the regular primary elections will be held on the first Tuesday in May with the runoff, if one is necessary, being held on the last Tuesday in May, thus requiring the holding of three elections within a very short time; and

WHEREAS the Justices of the Supreme Court of Alabama advised the Legislature on former occasions that there are no requirements of law as to the form that a legislative appointment of the day for an election must take, and that the designation of the day may be incorporated in the Act or resolution proposing the amendment or otherwise; and

WHEREAS there is no prohibition in law which prevents a redesignation of a day appointed for holding the election on the constitutional amendments proposed at this current session of the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon

each of the amendments proposed during the current session of the Legislature which provided for the submission thereof at a special election to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature shall be held on the last Tuesday in May (May 30) 1972, if such date is as much as three months after the final adjournment of this current special session of the Legislature.

RESOLVED FURTHER, That no election shall be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature on any amendments proposed during such current session though the Act or resolution proposing such amendment directs the holding of the election on such date, unless May 30 is less than three months after the final adjournment of this special session of the Legislature, but instead such amendment shall be submitted at an election to be held as provided in the foregoing paragraph.

RESOLVED FURTHER, however, that if May 30, 1972 is less than three months after the final adjournment of this current special session of the Legislature, then a special election on such amendments shall be held, as directed in the Act or resolution proposing each such amendment, on the first Tuesday after the expiration of three months from the final adjournment of the current special session.

RESOLVED ALSO That notice of the election and of the proposed amendments shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State.

And the resolution, H. J. R. 125, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Wallace and Weeks:

H. J. R. 126. COMMENDING OLIN B. BROOKS FOR HIS CONTRIBUTION TO THE RAILROAD INDUSTRY.

WHEREAS Olin B. Brooks is presently serving his last term as State Legislative Director for the United Transportation Workers Union and in the near future will be retiring from participation in the union's activities after a long and fruitful career; and

WHEREAS he is a native of Birmingham and grew up in a railroad family as his father was employed by the railroad from 1904 until 1932; and

WHEREAS Olin B. Brooks is a highly respected man of widely recognized ability who entered railroad employment in 1942 and was elected State Legislative Director in 1956 and has been re-elected for three additional terms by acclamation; and

WHEREAS Mr. Brooks gave his outstanding leadership ability to the people of Alabama by serving as Director of Labor during Governor John Patterson's administration and performed his duties unselfishly; and

WHEREAS he has served the railroad employees long and well and protected their health and welfare before state legislative assemblies; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its warmest commendations to Olin B. Brooks for his contributions to the railroad industry and wishes him much happiness in his retirement.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to Olin B. Brooks and the State Legislative Board of the United Transportation Workers Union.

On motion of Mr. Wallace, the rules were suspended and the resolution, H. J. R. 126, was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	St. John
Adams	Cross	Jackson	Slate
Adwell	Crowe	Jones (E)	Smith (K)
Baker	Dill	Jones (F)	Smith (P)
Barkett	Doss	King	Snell
Bassett	Downing	Kinsey	Stokes
Benton	Easters	Lang	Straiton
Boles	Edwards	Lutz	Stubbs
Bowers	Ellis	McBride	Taylor
Brassell	Erdreich	May	Timmons
Burgess	Falkenburg	Meeks	Turner
Callahan	Fite	Merrill	Turnham
Carnes	Gafford	Mims	Waggoner
Carter	Goodwin	Naramore	Waldrop
Casey	Grainger	Nettles	Wallace
Cherner	Gray (F)	O'Daniel	Warren
Chesnut	Grey (D)	Owens	Weeks
Collins	Hale	Parker (T)	Williams
Connell	Hardin	Reed (T)	Wise
Coshatt	Harris	Reid (R)	Wynot
Cottingham	Headley	Reynolds	—83

UNANIMOUS CONSENT

At the request of Mr. Wallace, unanimous consent was granted that all members of the House voting "Yea" on the resolution, H. J. R. 126, would have their names added as co-sponsor.

Also:

By Mr. Fite:

H. J. R. 127. COMMENDING THE ALABAMA FARM BUREAU

WHEREAS the majority of the citizens of this State are engaged in farming, in the manufacture of agricultural products, in related industries or in businesses which are wholly or largely dependent on agriculture; and

WHEREAS the Alabama Farm Bureau has long worked tirelessly and unceasingly in its efforts, not only to improve the lot of the farmer, but also to promote the welfare of all the citizens of this State; and

WHEREAS the Alabama Farm Bureau has been most effective in sponsoring progressive legislation for the benefit of the citizens of Alabama and deserves especial credit for its skill and ability in its promotion of the bill which was recently enacted to establish a new ad valorem tax structure; and

WHEREAS Mr. James Hays, President of the Alabama Farm Bureau, Mr. John Dorrill and Mr. Milton Parsons worked with particular foresight and tenacity in securing the passage of the ad valorem tax bill; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to commend Mr. Hays, Mr. Dorrill, Mr. Parsons and the entire membership of the Farm Bureau organization for their outstanding efforts in behalf of the citizens of Alabama.

RESOLVED FURTHER that copies of this resolution be sent to the Alabama Farm Bureau, to Mr. Hays, to Mr. Dorrill and to Mr. Parsons.

On motion of Mr. Fite, the rules were suspended and the resolution, H. J. R. 127, was adopted.

Also:

By Mr. Crowe:

H. J. R. 128. CONGRATULATING REPRESENTATIVE ALVIS NARAMORE UPON BECOMING A GRANDFATHER

WHEREAS our distinguished colleague, Representative Alvis Naramore, has recently joined that glorious field reserved for grandfathers; and

WHEREAS this is one of the greatest honors that has been bestowed upon Representative Naramore and will bring him increasing joy in his personal life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its hearty congratulations to Representative Alvis Naramore upon becoming a grandfather and wish this lovely child a long and happy life.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Representative Alvis Naramore

On motion of Mr. Crowe, the rules were suspended and the resolution, H. J. R. 128, was adopted.

Also:

By Messrs. Ellis, Falkenburg, Bowers, Erdreich, Timmons, Doss, Grainger, Jones (E), Gloor, McBride, Waggoner, Wallace, Boles, Gafford, Dill, Meeks, Weeks, Smith (P), Bank, Adwell and Cherner:

H. J. R. 129. CONGRATULATING CLETTUS ATKINSON FOR WINNING THE ERNIE PYLE MEMORIAL AWARD.

WHEREAS Clettus Atkinson, outstanding Birmingham Post-Herald columnist, whose turn of a phrase changes everyday happenings in the lives of everyday people into genuine experiences for his readers, has

been named winner of the 19th annual Ernie Pyle Memorial Award presented by the Scripps-Howard Foundation, which sponsors the award annually; and

WHEREAS through his page one column, "People and Things," he used his amazing ability to take the twenty-six letters of the alphabet and perform magic with them by capturing the drama of everyday life, with all its joys and all its sorrows, all its hopes and all its heartaches, all its successes and all its failures; and

WHEREAS the writing of this great Alabamian is evidence that the lives of everyday people can provide—everyday—a rich source for the reporter sensitive enough to capture the drama and skillful enough to transmit it to his readers and after reading his columns the reader knows intimately the person or persons he is writing about; and

WHEREAS this esteemed honor is the reward of many years of hard work this remarkable Alabama writer put into his profession; he served in practically every position in the Post-Herald's editorial department, including fifteen years on the sports desk, frequently writing barbed columns that stung the sports world, and several years on the copy desk before taking over the "Peoples and Things" column; and

WHEREAS he served in his country's Marine Corps during World War II and was awarded the Purple Heart and used his keen mind and abundant determination to graduate from the University of Alabama; and

WHEREAS this esteemed award won in competition which is open to any newspaper man or woman in the United States represents the pinnacle of newspaper excellence and while none of his co-workers was at all surprised that Clettus Atkinson should receive the most prestigious award that American journalism offers to the human interest columnist, they are gratified, nonethe less, to have their own high estimate of his work confirmed by experts; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it extends jubilant congratulations to Clettus Atkinson for winning the 19th annual Ernie Pyle Memorial Award for literary excellence.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Clettus Atkinson and the Birmingham Post-Herald.

On motion of Mr. Ellis, the rules were suspended and the resolution, H. J. R. 129, was adopted.

Also:

By Mr. Warren:

H. J. R. 130. To repeal H. J. R. 223 of the 1971 Regular Session, approved September 16, 1971, which authorized additional staff for the presiding officers of each House of the Legislature and for the Legislative Committee of Public Accounts.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. J. R. 223 of the 1971 Regular Session, approved September 16, 1971, is hereby repealed.

On motion of Mr. Warren, the rules were suspended and the resolution, H. J. R. 130, was adopted.

BILLS ON SECOND READING

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 166. To provide further for unemployment benefits; to authorize and require payment of unemployment benefits to an employee of any business which ceases or curtails operations because of pollution.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 294. (With Amendment): To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 403. (With Amendment): To amend further Sections 304, 305, 306, 307, 308, 309, 310, 311, and 313 of Article 3, Chapter 10 of Title 28 of the Code of Alabama of 1940, as heretofore amended, relating to non-profit corporations for the establishment of plans for hospital and medical services, and to provide for the continuation of the existence of certain corporations.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 435. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, Regular Session 1951 (Acts of Alabama 1951, p. 259) to provide certain educational benefits to dependents, children and wives of members of the Armed Forces listed as missing in action and listed as prisoners of war.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 395. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides maximum finance charges for loans and credit sales, and regulates extensions of credit.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 383. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8(I) of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

H. 384. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8 (11) of such Act, so as to revise the qualifications of appraisers employed to appraise the property in each county.

H. 385. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 6 of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

H. 386. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 13 of such Act, as to the use of funds to pay the cost of appraisal systems.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 422. To amend Act 171, H. 31, Special Session 1967, (Acts 1967, p. 218) which requires operators and passengers riding two wheel motorized vehicles to wear protective helmets, prescribes standards for helmets that may be worn, provides for testing such helmets, prohibits the sale in this state of substandard helmets, imposes responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribes penalties so as to prescribe additional requirements.

H. 423. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

H. 426. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, animal drawn vehicles and persons riding animals.

H. 428. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

H. 431. To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways,

so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 413. Relating to counties having a population of not less than 22,000 nor more than 22,500 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars, board of equalization and jury commission.

H. 414. To amend the title and Section 1 of Act No. 1626, H. 2235, Regular Session 1971, approved September 17, 1971, relating to a sheriff allowance for feeding prisoners in counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census so as to eliminate the sheriff fees and allowances for transporting insane and juvenile prisoners.

H. 415. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

H. 436. Relating to counties having a population of not less than 15,650 nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

S. 111. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties.

S. 110. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, to provide for an annual expense allowance for the judge of the inferior court of such counties.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 416. Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 420. (With Substitute): To further amend Title 52, Section 6 of the Code of Alabama 1940, as amended, in relation to the composition of the state board of education and the terms of the members thereof.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 378. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

H. 408. To apply only in counties having populations of not less than 54,500 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

H. 352. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

H. 418. To apply only in counties having populations of not less than 100,000 nor more than 115,000; regulating the compensation of bailiffs serving the circuit courts of such counties.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Fite:

H. 437. Relating to counties having a population of not less than 22,575 nor more than 23,800, according to the most recent federal decennial census; to further regulate branch banking in such counties.

Local Legislation No. 1.

By Mr. Fite:

H. 438. To apply to counties having a population of not less than 16,600 nor more than 16,950; authorizing the Judge of Probate in such counties to hold an election for the purpose of annexing territory to any municipality whose governing body requests such an election, and prescribing the conduct of such election.

Local Legislation No. 1.

By Mr. O Daniel:

H. 439. To provide sales and use tax exemptions to nonmunicipal incorporated volunteer fire departments in all counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. King, Lutz, Grainger and Hale (With Notice and Proof):

H. 440. Applying to Madison County; authorizing applications for registration to vote to be made before a clerk or other employee in the office of the board of registrars in such county, and providing that such applicants need not appear in person before the board of registrars or any member thereof; and granting full rule-making power to the board of registrars to carry out the purposes of this Act.

Local Legislation No. 4.

Notice and Proof H. 440.

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applying to Madison County; authorizing applications for registration to vote to be made before a clerk or other employee in the office of the board of registrars in such county, and providing that such applicants need not appear in person before the board of registrars or any member thereof; and granting full rule-making power to the board of registrars to carry out the purposes of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Madison County.

Section 2. In Madison County application for registration to vote may be made before a clerk or any other employee in the office of the board of registrars designated by the board of registrars to receive such applications, during all regular office hours of such board, and no applicant for registration shall be required to appear in person before the county board of registrars or any members thereof.

Section 3. The board of registrars may make such reasonable rules and regulations as it deems proper for the receipt of applications for registration and in as expedient a manner as possible accomplishing the registration of those entitled to register; but no person shall be registered until a majority of the board of registrars has passed favorable upon such person's qualifications.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective upon the ratification of a constitutional amendment proposed in the Third Special Session of the Alabama Legislature of 1971, authorizing the passage of such legislation.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 14, January 17, January 24, and January 31, all in the year 1972.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me January 31, 1972.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Crowe and Naramore:

H. 441. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees, and for payment of salaries from said counties' general fund.

Local Legislation No. 1.

By Mr. Reed (T):

H. 442. To provide an exemption to all persons who are now or hereafter confined to a veterans administration hospital or under treatment in a state rehabilitation center in this state from having to purchase a license to fish in the waters of this state and from having to pay an admission fee to visit institutions, including tourist attractions, which are owned by the state so long as such activities are in line with their physical and mental therapy, and to provide authority to regulate the provisions of this Act.

Military Affairs.

By Mr. Stubbs:

H. 443. Relating to all counties having a population of not less than 36,500 nor more than 39,200 inhabitants according to the most recent federal decennial census; providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

By Messrs. Straiton, Taylor, Hobbie and Jones (F):

H. 444. To amend Title 56 by adding Section 27-A of the Code of Alabama, 1940, as amended, in relation to the closing and vacating of streets and highways.

Local Legislation No. 4.

By Mr. Fite:

H. 445. To amend the title and Section 1 of Act No. 938, S. 17, Regular Session 1961, (Acts 1961, p. 1516) which act authorizes the establishment of branch banks within certain counties classified on a population basis, and making such amendment retroactive to September 1, 1971.

Local Legislation No. 1.

By Messrs. Taylor, Burgess, Lyons, Straiton, St. John, Hobbie, Nettles, Harris, Jones (F), O'Daniel, Turner, Edwards, Gray (F), Stokes, Manley, Timmons, Doss, Lutz, Carter, Crowe, Grey (D), Reid (R), Wynot, Carnes, McCorquodale, Smith (P), Callahan, Connell, Easters, Reed (T), Hale, McCluskey, Bassett, Hardin, Wise, Owens, Roberts, Downing, Smith (K), Stewart, Wallace, Williams, Adams, Coshatt, Chesnut, Stubbs, Bank, Falkenburg, Jones (E), Parker (T), McBride, Goodwin, Culver, Erdreich and Mims:

H. 446. To make a conditional appropriation to the State Building Commission to be used for completing the construction and for furnishing and equipping of the addition to the Archives and History Building known as the East Wing thereof.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Hale:

H. J. R. 131. WHEREAS, the President of the United States has made public his long standing offer of peace to our enemy North Vietnam, and

WHEREAS, these proposals include a total cease fire throughout all Indochina, the mutual release of all prisoners of war, the total withdrawal of all American and allied forces from South Vietnam within six (6) months of acceptance of these proposals by Hanoi and the resignation of the President and Vice President of South Vietnam one (1) month before free elections are held including participation by the National Liberation Front, and

WHEREAS, these proposals have been continually and secretly offered in good faith for many months in direct private negotiations between the United States and North Vietnam in Paris;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That the Alabama Legislature applauds the President for his efforts and supports him in his determination to bring American prisoners of war home and bring an honorable peace to Vietnam and the whole of Southeast Asia.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Hale to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 131, was lost.

And said resolution, H. J. R. 131, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Owens and Fite:

H. J. R. 132. THANKING MRS. ESTELLE DEAN FOR 25 YEARS OF SERVICES.

WHEREAS, Mrs. Estelle Dean has for many years served as clerk of various legislative committees, including the Ways and Means Committee, the Banking Committee and many others; and

WHEREAS, Mrs. Dean has also formerly served as secretary to the Speaker of the House; and

WHEREAS, Mrs. Dean's services have been most valuable to members of the Legislature in serving their constituents; and

WHEREAS, Mrs. Dean has always performed her duties very efficiently and in a most amiable and gracious manner; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby thank Mrs. Dean for her 25 years' services to the Legislature and to the individual members thereof. Her thoughtful consideration of the members of the Legislature, her readiness to serve at all times and her numerous courtesies to us are deeply appreciated.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 132, on the Clerk's desk for one legislative day.

Also:

By Mr. Waggoner and McBride:

H. J. R. 133. COMMENDING BOB BROWN FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS

WHEREAS Bob Brown, defensive end on the Auburn University football team has been selected a member of the All Southeastern Conference team and has received honorable mention on several All American teams; and

WHEREAS he has won many honors throughout his career including selection by the Associated Press as the Southeastern Conference "Lineman of the Week" for his outstanding performance in the Georgia Tech game and in recognition of his tremendous college football career he was chosen to play in the Senior Bowl game in Mobile which is between teams consisting of the nation's outstanding college seniors as judged by professional football scouts. In this game he used his extraordinary defensive skill to enable his Southern teammates to win the game; and

WHEREAS Bob Brown is considered by many football fans to be the South's premier defensive end and is a devastating pass rusher and a deadly tackler who, through his ability and determination, has covered himself with honor and reflected great credit to Auburn University, his hometown of Birmingham and the State of Alabama; and

WHEREAS to be selected by football experts as a member of the All Southeastern Conference football team is one of the highest awards that can be earned by a college football player; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its warm congratulations to Bob Brown for being selected as a member of the All Southeastern Conference Team.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Bob Brown.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 133, on the Clerk's desk for one legislative day.

Also:

By Mr. Bank:

H. J. R. 134. CONCERNING REMARKS MADE RELATIVE TO A UNICAMERAL LEGISLATURE.

WHEREAS our urbanite colleague from Jefferson County is reported to believe that he does not think the House will go along with Representative Fred Jones' bill calling for a constitutional amendment to create a unicameral legislature in Alabama and is quoted on page 17A of the Birmingham News of January 30, 1972 as having said: "Most of these guys can's even spell unicameral;" and

WHEREAS the gentleman from Jefferson, having been born in Illinois and reared and partially educated in Iowa, seems to radiate an aura of superiority because he hails from a region north of Alabama, the state in which a majority of Alabama legislators were born, reared and educated; and

WHEREAS we are not aware that legislators of other states are better educated than those of Alabama, nor have we been forcibly impressed by the unsurpassed excellence of other legislators' spelling ability; and

WHEREAS we do not appreciate the disparaging remarks of the gentleman from Jefferson, which reflect on each member of this House; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we assure the Gentleman from Jefferson that we have no difficulty whatsoever in spelling the word "unicameral" and that it will always be emblazoned on our memory as a symbol for Uninformed Northern Inflated Capitalists And Monumental Egotists Raving About Lexicography.

RESOLVED FURTHER that a copy of this resolution be presented to Representative Tom Gloor.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Bank to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 134 was lost.

And said resolution, H. J. R. 134, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 54. To amend Section 7 of Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of two (2) Directors for the county transit authority provided for by said Act, and to provide for the appointment of one director of such Authority by the members of the Alabama Legislature from such county, and to provide for the initial terms of office of such Directors.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Carnes, Waldrop and Wynot:

H. J. R. 135. WHEREAS, the Alabama Legislature in the 1971 First Special Session did pass legislation for the expansion of medical education and construction of new medical facilities in Huntsville, Mobile, and Tuscaloosa; and

WHEREAS, there has been no specific planning for the funding of operational expenses of the said new medical facilities; and

WHEREAS, the Alabama legislature in its 1973 Regular Session shall be charged with the responsibility of appropriating funds for the operation of said facilities,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both houses thereof concurring, that there is hereby created and established an Interim Study Committee for the purpose of making a thorough investigation and recommendations concerning the funding of the operation of the aforesaid new medical facilities; that said committee shall be composed of five members of the House of Representatives to be appointed by the Speaker and five members of the Senate to be appointed by the Lieutenant Governor; and that said committee shall file a report of its recommendations with the members of the Legislature on or before the fifth legislative day of the 1973 Regular Session.

BE IT FURTHER RESOLVED, That the members of the committee shall receive no compensation for their services except that they shall be entitled to receive their regular legislative per diem and allowances for each meeting of the committee actually attended, or when otherwise actually engaged in the business of the committee. Such per diem pay and allowances together with all expenses incurred shall be paid out of any funds appropriated to the use of the legislature, but in no case shall such expenditures exceed the total sum of twenty-five hundred dollars ($2,500.00).

MOTION TO SUSPEND RULES LOST

The motion of Mr. Carnes to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 135 was lost.

And said resolution, H. J. R. 135, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Stokes and Callahan:

H. J. R. 136. CONGRATULATING REPRESENTATIVE BERT NETTLES AND HIS WIFE, ELIZABETH, UPON THE BIRTH OF A BABY DAUGHTER.

WHEREAS on January 29, 1972, Elizabeth Nettles, wife of our distinguished colleague, Representative Bert Nettles, gave birth to a baby girl who has been christened Mary Katherine; and

WHEREAS this body wishes to congratulate Representative Nettles and his wife upon this beautiful addition to their family and to wish Mary Katherine Nettles a happy and prosperous life; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it extends its warm congratulations to Representative Bert Nettles and his wife, Elizabeth, upon the birth of their new daughter.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Bert and Elizabet Nettles.

On motion of Mr. Stokes, the rules were suspended and the resolution, H. J. R. 136, was adopted.

Also:

By Mr. Warren:

H. J. R. 137. REQUESTING THE STATE HIGHWAY DIRECTOR TO STOP THE POLICY OF ISSUING PERMITS ALLOWING FOURTEEN-FOOT WIDE MOBILE HOMES TO TRAVEL ON THIS STATE'S HIGHWAYS

WHEREAS this Legislature is gravely concerned about the increasing number of permits being issued by the State Highway Department for the purpose of transporting oversized mobile homes on Alabama's highways; and

WHEREAS this concern is based on a sincere and studied belief that the presence of these fourteen-foot wide mobile homes on Alabama's highways are hazardous and are detrimental to the safety of the citizens of Alabama; and

WHEREAS no other state in the Southeast allows fourteen-foot wide mobile homes to be transported on public roads thus stopping these oversized mobile homes from being towed across this State's lines; and

WHEREAS eighty percent of Alabama's non-interstate highways are less than twenty-three feet in width and mobile homes which are fourteen feet wide have a sway movement from side to side of at least two feet which increases the road width of their structures to 16 feet; and

WHEREAS this Legislature recognizes the importance of the mobile home industry to the economy and further recognizes that this industry serves a tremendous segment of the population with an answer to their housing needs. However, everyone—including those who manufacture or buy mobile homes—has a vested interest in highway safety, and we feel that vehicles of this width pose an additional safety hazard on our highway which we cannot afford; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body requests the State Highway Director to stop the policy of issuing permits allowing fourteen-foot wide mobile homes to be transported on the highways of this State.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to The State Highway Director.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Warren to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 137 was lost.

And said resolution, H. J. R. 137, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 55,000 nor more than 65,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide

that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 133. To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 113. To provide for the duties and compensation for the members of the Board of Equalization in all counties having a population of not less than 300,000 nor more than 500,000 according to the last federal decennial census.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Lyons and Perloff:

H. J. R. 138. Mourning the death of Edmond Carl DeCelle

WHEREAS, Mobile, the State of Alabama and the World have suffered a grievous loss in the death of Edmond Carl DeCelle on Thursday, January 27, 1972; and

WHEREAS, The name of Edmond DeCelle was well known in the art world everywhere, with his paintings, murals and decorations being found abroad and in many public galleries as well as in numerous private homes; and

WHEREAS, Edmond DeCelle designed and built the floats for the century-old Mobile Order of Myths for fifty years and will always be remembered in Mobile with admiration as a master float builder-designer, having also handled float assignments for the Knights of Revelry and the Krewe of Columbus, and he also shared his talents with the Mobile Opera Guild in designing and building sets for its many years of grand opera; and

WHEREAS, DeCelle had studied in London, Bruges, Belgium, and in Paris, and had his work exhibited literally all over the world, and yet chose to live in his adopted city, Mobile.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That the loss of Edmond Carl DeCelle is hereby deplored by all who knew him and by the art world in particular; and

BE IT FURTHER RESOLVED That a copy of this resolution be sent to his wife, Kathryn T. DeCelle, herself an artist, and that this resolution be spread upon the Journal of the House of Representatives for this date as a sign of the sincere sympathy felt upon the death of Edmond Carl DeCelle.

On motion of Mr. Perloff, the rules were suspended and the resolution, H. J. R. 138, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 197. Relating to counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census; permitting the county governing body to employ an additional deputy sheriff.

Also:

H. 210. To amend Sections 1 and 2 of Act No. 175, H. 460, Regular Session 1965, (Acts 1965, p. 246), which provides for an increase in the compensation of the coroner and deputy coroner of certain counties classified on a population basis.

Also:

H. 211. To amend Act No. 583, H. 1479, Regular Session 1971, entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census," amending the title and Section 2 of such Act so as to delete from the

enumeration of the officers entitled to the expense allowance thereby provided the judge of the county court and to provide for the payment of travel expenses outside the county on county business in addition to the prescribed expense allowances.

Also:

H. 221. To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County, by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

Also:

H. 220. Relating to Lamar County, providing further for the election of the members of the governing body of said county.

Also:

H. 195. Relating to counties having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census, to authorize the county commission of such counties to appropriate an amount not to exceed $5,200 out of the general fund for the relief of Walter L. Nelson.

Also:

H. 217. To alter and re-arrange the boundary lines of the town of Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

Also:

H. 229. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Also:

H. 215. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

H. 189. To provide additional compensation for members of the Board of Registrars in all counties of this state having a population of 500,000 or more according to the most recent or any subsequent federal decennial census.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Carnes, Wynot and Waldrop:

H. J. R. 139. PROVIDING THAT THE NEWLY CONSTRUCTED STUDENT CENTER AT GADSDEN STATE JUNIOR COLLEGE BE NAMED THE "JAMES C. INZER STUDENT CENTER"

WHEREAS the late James C. Inzer was long a leader in the social, economic, political and religious activities of his community and was known far and wide for his desire to help his fellowmen; and

WHEREAS this distinguished Alabamian received many honors in his lifetime including service as a member of the State Democratic Executive Committee for eight years from 1928 to 1936; Lieutenant Governor of the State of Alabama from 1947 to 1951; member of the State Board of Education from 1923 to 1933; member of the Board of Trustees of Partlow-Bryce Hospital for many years; member and past president of the Etowah County Bar Association and member and past president of the Alabama Bar Association and a lifetime trustee of Samford University; and

WHEREAS this Legislature would like to honor the life of this great man and to place a perpetual memorial for his everlasting contributions to our state;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the newly constructed student center at Gadsden State Junior College be named and hereafter known as the "James C. Inzer Student Center," and that appropriate plaques be installed thereon.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to members of the family of the late James C. Inzer, members of the state board of education, and representatives of the news media in Etowah County.

On motion of Mr. Carnes, the rules were suspended and the resolution, H. J. R. 139, was adopted.

BILLS ON THIRD READING

And the bill:

H. 314. To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

Was taken up.

Mr. McCorquodale offered the following substitute for the bill, H. 314:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of McIntosh, Washington County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include within the corporate limits of said Town the following described territory, to-wit:

Section 37, Township 4 North, Range 1 East, Washington County, Alabama (the SW ¼ of the NW ¼ and the NW ¼ of the SW ¼ already being within the corporate limits of said town);

Section 38, Township 4 North, Range 1 East;

South half of southwest quarter, Section 35, Township 4 North, Range 1 East;

West half of west half, Section 40, Township 4 North, Range 1 East;

In Section 28, Township 3 North, Range 1 East, all that part of said Section 28 which lies north of River Road.

Section 2. If any of the parcels above described shall be declared to have been inadequately described by a court of competent jurisdiction, such parcel shall be severed but such declaration shall not affect the remaining parcels above described, as to which the provisions of this Act shall continue to apply.

Section 3. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Casey	Edwards	Jones (E)
Adams	Cherner	Erdreich	Jones (F)
Adwell	Chesnut	Falkenburg	King
Baker	Collins	Fite	Kinsey
Bank	Connell	Gafford	Lang
Barkett	Coshatt	Gloor	Lutz
Bassett	Cottingham	Grainger	McBride
Boles	Crawford	Gray (F)	McCluskey
Bowers	Cross	Hale	McCorquodale
Brassell	Culver	Hardin	Manley
Burgess	Dill	Harris	Mathews
Callahan	Doss	Headley	May
Carnes	Downing	Hobbie	Meeks
Carter	Easters	Jackson	Merrill

Nettles	Roberts	Stokes	Turnham
O'Daniel	Robertson	Straiton	Waggoner
Owens	St. John	Stubbs	Wallace
Parker (T)	Slate	Taylor	Warren
Perloff	Smith (K)	Therrell	Weeks
Pruitt	Smith (P)	Timmons	Williams
Reed (T)	Snell	Turner	Wise
Reid (R)	Stewart		

—86

And said bill, H. 314, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		

—86

And the bill:

H. 390. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 390:

Amend Section 6 of House Bill 390 to strike out the words "the date the warrant was returned or marked served".

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Baker	Bassett	Brassell
Adams	Bank	Boles	Burgess
Adwell	Barkett	Bowers	Callahan

Carnes	Fite	McCorquodale	Smith (K)
Carter	Gafford	Manley	Smith (P)
Casey	Gloor	Mathews	Snell
Cherner	Grainger	May	Stewart
Chesnut	Gray (F)	Meeks	Stokes
Collins	Hale	Merrill	Straiton
Connell	Hardin	Nettles	Stubbs
Coshatt	Harris	O'Daniel	Taylor
Cottingham	Headley	Owens	Therrell
Crawford	Hobbie	Parker (T)	Timmons
Cross	Jackson	Perloff	Turner
Culver	Jones (E)	Pruitt	Turnham
Dill	Jones (F)	Reed (T)	Waggoner
Doss	King	Reid (R)	Wallace
Downing	Kinsey	Roberts	Warren
Easters	Lang	Robertson	Weeks
Edwards	Lutz	St. John	Williams
Erdreich	McBride	Slate	Wise
Falkenburg	McCluskey		

—86

And said bill, H. 390, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		

—86

LEAVE OF ABSENCE

On motion of Mr. Grainger, leave of absence was granted to Mr. Hearn, due to illness.

BILLS ON THIRD READING RESUMED

And the bill:

H. 392. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act

provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		—86

And the bill:

H. 398. Relating to counties having a population of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide that the county commission may provide, by unanimous vote, an additional expense allowance to members of the county commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Carnes	Dill	Hale
Adams	Carter	Doss	Hardin
Adwell	Casey	Downing	Harris
Baker	Cherner	Easters	Headley
Bank	Chesnut	Edwards	Hobbie
Barkett	Collins	Erdreich	Jackson
Bassett	Connell	Falkenburg	Jones (E)
Boles	Coshatt	Fite	Jones (F)
Bowers	Cottingham	Gafford	King
Brassell	Crawford	Gloor	Kinsey
Burgess	Cross	Grainger	Lang
Callahan	Culver	Gray (F)	Lutz

McBride	Owens	Smith (K)	Timmons
McCluskey	Parker (T)	Smith (P)	Turner
McCorquodale	Perloff	Snell	Turnham
Manley	Pruitt	Stewart	Waggoner
Mathews	Reed (T)	Stokes	Wallace
May	Reid (R)	Straiton	Warren
Meeks	Roberts	Stubbs	Weeks
Merrill	Robertson	Taylor	Williams
Nettles	St. John	Therrell	Wise
O'Daniel	Slate		—86

And the bill:

H. 404. Relating to counties having a population of not less than 10,900 nor more than 11,500 inhabitants according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff; providing for deposit of fees in a Sheriff's Fund and providing for the use of such fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		—86

And the bill:

H. 407. To amend Act No. 51, H. 55 of the Third Special Session of 1971, approved December 13, 1971, entitled "An Act, Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this Act retroactive."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		

—86

And the bill:

H. 399. (With Substitute): To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in such municipalities through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such revenue securities may have been issued; to provide that such revenues securities shall constitute negotiable instruments to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a nonforeclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that

revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the

use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Be It Enacted by the Legislature of Alabama:

Section 1. Declaration of Purpose and Legislative Findings. The Legislature has found and determined and does hereby declare that in municipalities having a population of not less than 70,000 nor more than 135,000 inhabitants and in the counties in which such municipalities are located the following conditions exist: (a) that the constant growth of air traffic in such municipalities and in the counties in which they are located is placing excessive burdens upon existing air transportation facilities: (b) that the continued economic growth of such municipalities and the general health and welfare of the citizens of such municipalities require the availability of adequate air transportation facilities; and (c) that it is necessary and desirable and in the best interests of the citizens of such municipalities that provisions be made for the establishment in such municipalities of public corporations to provide such facilities. The legislature does hereby further declare its intention, by the passage of this Act, to promote safe and adequate air transportation facilities in such municipalities and in the counties in which they are located through the authorization of public corporations, as agencies of the State of Alabama, with the powers conferred by this Act.

Section 2. Definitions. The following words and phrases used in this Act, and others evidently intended as the equivalent thereof, shall, in the absence of clear implication herein otherwise, be given the following respective interpretations herein:

"Air navigation facility" means any facility used in, available for use in, or designed for use in aid of, air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems or other instrumentalities, or devices used or useful as an aid, or constituting an advantage or convenience to, the safe taking-off, navigation and landing

of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

"Air transportation facility" means any air navigation facility, airport, airport building, airport facility, or heliport, or any combination of any thereof.

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for use primarily as safety equipment.

"Airport" means any area of land or water which is used, or intended for use, for the landing, taking-off, storage, parking or dispersal of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings, facilities or rights-of-way, together with all airport buildings, structures or facilities located thereon.

"Airport building" means any building used or to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the Authority.

"Airport facility" means any building, structure, land, right-of-way, equipment or instrumentality used or to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the Authority.

"Applicant" means a natural person who files a written application with the governing body of any municipality to which this Act applies in accordance with the provisions of Section 3 hereof.

"Authority" means a public corporation organized pursuant to the provisions of this Act.

"Authorizing municipality" means any municipality the governing body of which shall have adopted an authorizing resolution.

"Authorizing resolution" means a resolution, adopted by the governing body of any municipality to which this Act applies in accordance with the provisions of Section 3 hereof, that authorizes the incorporation of an Authority.

"Board" means the board of directors of an Authority.

"Bonds" means and shall include bonds, notes and certificates representing an abligation to pay money.

"County" means any county in the state.

"County of incorporation" means the county in which the authorizing municipality is located.

"Director" means a member of the board of directors of the Authority.

"Governing body" means, with respect to a municipality, its city or town council, board of commissioners, or other like governing body.

"Heliport" means an airport designed primarily for use by helicopters.

"Incorporators" means the persons forming a public corporation organized pursuant to the provisions of this Act.

"Municipality" means an incorporated city or town of the state.

"Person", unless limited to a natural person by the context in which it is used, includes a public or private corporation, a municipality, a county, or an agency, department or instrumentality of the state or of a county or municipality.

"Principal office" means the place at which the certificate of incorporation and amendments thereto, the by-laws, and the minutes of proceedings of the board of an Authority are kept.

"Property" means and includes real and personal property, and interests therein.

"State" means the State of Alabama.

Section 3. Use of Phrases. The following provisions shall be applied wherever appropriate herein:

"Herein," "hereby," "hereunder," "hereof," and other equivalent words refer to this Act as an entirety and not solely to the particular section or portion thereof in which any such word is used.

The definitions set forth in Section 2 hereof shall be deemed to include both singular and plural and to cover all genders.

Section 4. Filing of Application; Authorization of Incorporation by Governing Body of Authorizing Municipality. A public corporation may be organized pursuant to the provisions of this Act in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census. In order to incorporate such a public corporation, any number of natural persons, not less than three, shall first file a written application with the governing body of such municipality, which application shall:

(1) Contain a statement that the applicants propose to incorporate an Authority pursuant to the provisions of this Act;

(2) State the proposed location of the principal office of the Authority, which shall be within the county in which is located the municipality with the governing body of which such application is filed;

(3) State that each of the applicants is a duly qualified elector of the municipality with the governing body which such application is filed; and

(4) Request that the governing body of such municipality adopt a resolution declaring that it is wise, expedient, and necessary that the proposed Authority be formed and authorizing the applicants to proceed to form the proposed Authority by the filing for record of a certificate of incorporation in accordance with the provisions of Section 5 hereof.

Every such application shall be accompanied by such supporting documents or evidence as the applicants may consider appropriate. As promptly as may be practicable after the filing of the application with it in accordance with the provisions of this section, the governing body of the municipality with which the application was filed shall review the contents of the application, and shall adopt a resolution either (a) denying the application or (b) declaring that it is wise, expedient, and necessary that the proposed Authority be formed and authorizing the applicants to pro-

ceed to form the proposed Authority by the filing for record of a certificate of incorporation in accordance with the provisions of Section 5 hereof. The governing body with which the application is filed shall also cause a copy of the application to be spread upon or otherwise made a part of the minutes of the meeting of such governing body at which final action upon said application is taken.

Section 5. Procedure to Incorporate: Contents and Execution of Certificate of Incorporation. Within forty (40) days following the adoption of an authorizing resolution the applicants shall proceed to incorporate an Authority by filing for record in the office of the Judge of Probate of the county of incorporation a certificate of incorporation which shall comply in form and substance with the requirements of this section and which shall be in the form and executed in the manner herein provided.

The certificate of incorporation of the Authority shall state:

(1) The names of the persons forming the Authority, and that each of them is a duly qualified elector of the authorizing municipality.

(2) The name of the Authority (which shall be "_____ Airport Authority", with the insertion of the name of the authorizing municipality and, if deemed appropriate by the incorporators, of additional identifying words);

(3) The period for the duration of the Authority (if the duration is to be perpetual, subject to the provisions of Section 21 hereof, that fact shall be stated);

(4) The name of the authorizing municipality together with the date on which the governing body thereof adopted the authorizing resolution;

(5) The location of the principal office of the Authority, which shall be in the authorizing municipality;

(6) That the Authority is organized pursuant to the provisions of this Act; and

(7) Any other matters relating to the Authority that the incorporators may choose to insert and that are not inconsistent with this Act or with the laws of the state.

The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the state to take acknowledgments to deed. When the certificate of incorporation is filed for record, there shall be attached to it (a) a copy of the application as filed with the governing body of the authorizing municipality in accordance with the provisions of Section 4 hereof, (b) a certified copy of the authorizing resolution adopted by the governing body of the authorizing municipality, and (c) a certificate by the Secretary of State that the name proposed for the Authority is not identical to that of any other corporation organized under the laws of the state or so nearly similar thereto as to lead to confusion and uncertainty. Upon the filing for record of the said certificate of incorporation and the documents required by the preceding sentence to be attached thereto, the Authority shall come into existence and shall constitute a public corporation under the name set forth in said certificate of incorporation. The Judge of Probate shall thereupon send a notice to the Secretary of State that the certificate of incorporation of the Authority has been filed for record.

Section 6. Amendments to Certificate of Incorporation. The certificate of incorporation of any Authority incorporated under the provisions of this Act may at any time and from time to time be amended in the manner provided in this section. The board of directors of the Authority shall first adopt a resolution proposing an amendment to the certificate of incorporation which shall be set forth in full in the said resolution and which amendment may include any matters which might have been included in the original certificate of incorporation.

After the adoption by the board of a resolution proposing an amendment to the certificate of incorporation of the Authority, the chairman of the board or other chief executive officer of the Authority and the secretary of the Authority shall sign and file a written application in the name of and on behalf of the Authority, under its seal, with the governing body of the authoring municipality, requesting such governing body to adopt a resolution approving the proposed amendment, and accompanied by a certified copy of the said resolution adopted by the board proposing the said amendment to the certificate of incorporation, together with such documents in support of the application as the said chairman or other chief executive officer may consider appropriate. As promptly as may be practicable after the filing of the said application with the governing body of the authorizing municipality pursuant to the foregoing provisions of this section, that governing body shall review the said application and shall adopt a resolution either denying the said application or authorizing the proposed amendment. Such governing body shall also cause a copy of the said application and all accompanying documents to be spread upon or otherwise made a part of the minutes of the meeting of said governing body at which final action upon the said application is taken.

Within forty (40) days following the adoption by the governing body of the authorizing municipality of a resolution approving the proposed amendment the chairman of the board or other chief executive officer of the authority and the secretary of the Authority shall sign, and file for record in the office of the Judge of Probate of the county of incorporation a certificate in the name of and in behalf of the Authority, under its seal, reciting the adoption of said respective resolutions by the board and by the said governing body and setting forth the said proposed amendment.

Section 7. Board of Directors. Each Authority shall be governed by a board of directors. All powers of the Authority shall be exercised by the board or pursuant to its authorization. The board shall consist of five directors, who shall be elected by the governing body of the authorizing municipality for staggered terms as hereinafter provided and as specified by the governing body of the authorizing municipality. The initial terms of office of two such directors shall begin immediately upon their respective elections and shall end at 12:01 o'clock, A. M., on the second anniversary date of the filing for record of the certificate of incorporation of the Authority. The initial terms of office of three such directors shall begin immediately upon their respective elections and shall end at 12:01 o'clock, A. M., on the fourth anniversary date of the filing for record of the certificate of incorporation of the Authority. Thereafter, the term of office of each such director shall be four years. If at any time there should be a vacancy on the board, a successor director to serve for the unexpired term applicable to such vacancy shall be elected by the governing body of the authorizing municipality. Each election of a director, whether for a full four years term or to complete an unexpired

term, shall be made not earlier than thirty days prior to the date on which such director is to take office as such. Each director must be a duly qualified elector of the authorizing municipality. Directors shall be eligible for re-election. Each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. If the certificate of incorporation so provides, each director except the chairman of the board shall be compensated in an additional amount not to exceed $10 per meeting attended but not to exceed $250 per year. The chairman shall, if said certificate so provides, be compensated in an additional amount not to exceed $500 per year. Any director of the Authority may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of the officers mentioned in said Section 175.

Section 8. Powers of Authority. The Authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof in corporate form:

(1) To have succession by its corporate name for the duration of time (which may be perpetuity, subject to the provisions of Section 21 hereof) specified in its certificate of incorporation;

(2) To sue and be sued in its own name in civil suits and actions, excepting actions in tort, and to defend suits against it;

(3) To adopt and make use of a corporate seal and to alter the same at pleasure;

(4) To adopt and alter by-laws for the regulation and conduct of its affairs and business;

(5) To acquire, receive and take, by purchase, gift, lease, devise or otherwise, and to hold property of every description, real, personal or mixed;

(6) To make, enter into, and execute such contract, agreements, leases and other instruments and to take such other actions as may be necessary or convenient to accomplish any purpose for which the Authority was organized or to exercise any power expressly granted hereunder;

(7) To plan, establish, develop, acquire, purchase, lease, construct, reconstruct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities in the county of incorporation, including the acquisition, construction, installation, equipment, maintenance and operation at such airports of buildings, hangars, and other facilities for airlines and the servicing of aircraft or for the comfort and accommodation of air travelers, and the purchase and sale of supplies, goods, and commodities as are incident to the operation of its airport properties;

(8) To construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain, repair and operate heliports, aerial aircraft (by whatever name such may be known) landing, loading or storage areas and transportation terminals,

(9) To construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities, suitable for use as parks, exhibits or exhibitions at, upon or adjacent to

any airport, heliport or aircraft landing area owned or operated by such Authority, and to lease or let such buildings, structures and facilities or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the Authority may require or approve;

(10) To furnish or supply upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority, to persons and aircraft thereon, for reward or compensation, goods, commodities, area, facilities and services convenient or useful to the owners, operators and users of aircraft, and to persons upon said airport, heliport or aircraft landing area, including, without limiting the generality of the foregoing, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline, motors and aircraft, motor and aircraft parts and equipment, space in buildings, space for buildings and structurs, parking space for aircraft and automobiles, and the service of mechanics, instructors and hostlers;

(11) To confer upon individuals, firms, corporations or companies for reward or compensation the privilege or concession of supplying upon any airport, heliport, or aircraft landing area owned or operated by or under the jurisdiction of the Authority, all or any part of the goods, commodities, things, services and facilities in clause (10) of this section authorized to be supplied;

(12) To acquire, by purchase, gift, devise, lease, or otherwise, existing airports and air navigation facilities in the county, provided, however, that the Authority shall not acquire or take over any airport or air navigation facility owned or controlled by any county, municipality or public agency of the state, or any one or more thereof, without the consent of such county, municipality or public agency;

(13) To sell and issue bonds of the Authority in order to provide funds for any corporate function, use or purpose, any such bonds to be payable solely out of the revenues derived from any air transportation facilities of the Authority;

(14) To assume obligations secured by a lien on, or payable out of or secured by a pledge of the revenues from, any air transportation facilities or any part thereof, that may be acquired by the Authority, any obligation so assumed to be payable by the Authority solely out of the revenues derived from the operation of any air transportation facilities of the Authority;

(15) To pledge for payment of any bonds issued or obligations assumed by the Authority any revenues from which those bonds or obligations are made payable as herein provided;

(16) To execute and deliver, in accordance with the provisions of this section and of Section 10 hereof, mortgages and deed of trust and trust indentures, or either;

(17) To exercise the power of eminent domain in the manner provided in and subject to the provisions of Title 19 of the Code of Alabama of 1940, as amended, with respect to any property, real, personal or mixed, including air space, structures and obstructions to flights, and property already devoted to public use that may be necessary for the construction, extension, maintenance, operation, protection, enlargement, improvement

or preservation of an airport or airport facility, provided, however, that this clause shall not be deemed to authorize the Authority to acquire, without the consent of the owner or owners thereof, any air transportation facilities from which public transportation service is at the time being furnished;

(18) Subject to the provisions of Section 19 of this Act, to appoint, employ, contract with, and provide for the compensation of, such officers, employees and agents, including but without limitation to engineers, attorneys, management consultants, and fiscal advisers, as the business of the Authority may require, and at its option to provide a system of disability pay, retirement compensation and pensions, or any of them;

(19) To make and enforce reasonable rules and regulations governing the use of any air transportation facilities owned or controlled by the Authority;

(20) To provide for such insurance, including but without limitation to use and occupancy insurance, as the board may deem advisable;

(21) To invest any funds of the Authority that the board may determine are not presently needed in the operation of its properties in bonds of the United States of America, bonds of the state, bonds of any county or municipality, and interest bearing bank deposits, or any thereof;

(22) To cooperate with the United States of America, any agency or instrumentality thereof, the state, any county, municipality or other political subdivision of the state and any public corporation organized under the laws of the state and to make such contracts with them, or any of them, as the board may deem advisable to accomplish the purposes for which the Authority was established;

(23) To sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or useful as a part of air transportation facilities of the Authority;

(24) To sell and convey, without valuable consideration, any of its properties to any one or more counties, municipalities, or public corporations organized under the laws of the state, which have the corporate power to operate the properties so conveyed and the property and income of which are not subject to taxation; provided, that any such sale and conveyance may be made (a) only with the consent of the authorizing municipality, as evidenced by a resolution adopted by its governing body, and (b) only if any such conveyance would not constitute a breach of any then outstanding mortgage and deed of trust, trust indenture, or other agreement to which the Authority is a party;

(25) To enter into a management agreement or agreements with any person for the management by or for the Authority of any air transportation facilities upon such terms and conditions as may be mutually agreeable; and

(26) To fix and revise from time to time reasonable landing fees, tolls, rents and other charges for the use of any air transportation facilities owned or operated by the Authority, and to collect all charges made by it.

Nothing herein shall be construed to permit an Authority to acquire, receive, take, hold, establish, develop, construct, reconstruct, enlarge, improve, maintain, equip or operate any property located outside the county of incorporation.

Section 9. Fees, Tolls, Rents and Charges. Landing fees, tolls, rents and other charges for the use of air transportation facilities owned or operated by the Authority shall be so fixed and from time to time revised as at all times to provide funds at least sufficient (a) to pay the cost of operating, maintaining, repairing, replacing, extending and improving such air transportation facilities; (b) to pay the principal of and the interest on all bonds issued and obligations assumed by the Authority, that are payable out of the revenues derived from operation of such facilities as the said principal and interest become due and payable; (c) to create and maintain such reserve for the foregoing purposes or any of them as may be provided in any mortgage and deed of trust or trust indenture executed by the Authority hereunder or in any resolutions of the board authorizing the issuance of bonds, the assumption of any obligation, or the acquisition of any such facilities, and (d) to make such annual payments, if any, to the United States of America or any agency or instrumentality thereof, the state, municipalities, counties, departments, authorities, agencies, and political subdivisions of the state and any public corporations organized under the laws of the state as the Authority may have contracted to make.

Section 10. Bonds of Authority. (a) Execution. All bonds issued by the Authority shall be signed by the chairman of its board or other chief executive officer and attested by its secretary, and the seal of the Authority shall be affixed thereto, and any interest coupons applicable to the bonds of the Authority shall be signed by the chairman of its board or other chief executive officer; provided, that a facsimile of the signature of one, but not both, of said officers may be printed or otherwise reproduced on any such bonds in lieu of his manually signing the same, a facsimile of the seal of the authority may be printed or otherwise reproduced on any such bonds in lieu of being manually affixed thereto, and a facsimile of the signature of the chairman of its board or other chief executive officer may be printed or otherwise reproduced on any such interest coupons in lieu of his manually signing the same.

(b) General Provisions Respecting Form, Interest Rate, Maturities, Sale, Refunding and Negotiability of Bonds. Any such bonds may be executed and delivered by the Authority at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall contain such provisions not inconsistent with the provisions of this Act, and shall bear such rate or rates of interest, payable and evidenced in such manner, as may be provided by resolution of its board. Bonds of the Authority may be sold at either public or private sale in such manner and at such price or prices and at such time or times as may be determined by the board to be most advantageous. The principal of and interest on any bonds issued or obligations assumed by the Authority may thereafter at any time (whether before, at or after maturity of any such principal and whether at, after or not exceeding six months prior to the maturity of any such interest) and from time to time be refunded by the issuance of refunding bonds of the Authority, which may be sold by the Authority at public or private sale at such price or prices as may be determined by its board to be most advantageous, or which may be exchanged for the bonds or other obligations to be refunded. The Authority may pay all expenses, premiums and commissions which its board may deem necessary and advantageous in connection with any financing done by it. All bonds issued by the Authority shall be construed to be negotiable instruments although payable solely from a specified source.

(c) Nature of Obligation and Source of Payment. All obligations created or assumed and all bonds issued or assumed by the Authority shall be solely and exclusively an obligation of the Authority and shall not create an obligation or debt of any county or municipality; provided that the provisions of this sentence shall not be construed to release the original obligor from liability on any bond or other obligation assumed by the Authority. Any bonds issued by the Authority shall be limited or special obligations of the Authority payable solely out of the revenues of the Authority specified in the proceedings authorizing those bonds. Any such proceedings may provide that the bonds therein authorized shall be payable solely out of the revenues derived from the operation of all air transportation facilities owned by the Authority or solely out of the revenues from the operation of any one or more of such facilities or parts thereof, regardless of the fact that those bonds may have been issued with respect to or for the benefit of only certain particular facilities of the Authority.

(d) Pledge of Revenues and Other Security. The Authority may pledge for the payment of any of its bonds the revenues from which such bonds are payable, and may execute and deliver a trust indenture evidencing any such pledge or a mortgage and deed of trust conveying as security for such bonds the air transportation facilities, or any part of any thereof, the revenues or any part of the revenues from which are so pledged. Any mortgage and deed of trust or trust indenture made by the Authority may contain such agreements as the board may deem advisable respecting the operation and maintenance of the property and the use of the revenues subject to such mortgage and deed of trust or affected by such trust indenture, and respecting the rights, duties and remedies of the parties to any such instrument and the parties for the benefit of whom such instrument is made; provided, that no such instrument shall be subject to foreclosure.

(e) Eligibility for Investment. The governing body of any county or municipality is authorized in its discretion to invest in bonds of the Authority any idle or surplus money held in its treasury. Such Bonds are hereby made legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority, and for savings banks and insurance companies organized under the laws of the state.

Section 11. Contracts to Secure Bonds and Assumed Obligations. As security for payment of the principal of and the interest on bonds issued or obligations assumed by it, the Authority may enter into a contract or contracts binding itself for the proper application of the proceeds of bonds and other funds, for the continued operation and maintenance of any air transportation facilities owned by it, or any part or parts thereof, for the imposition and collection of reasonable fees, rents, tolls and other charges for, and the promulgation of reasonable regulations respecting the use of any such facilities, for the disposition and application of its gross revenues or any part thereof, and for any other act or series of acts not inconsistent with the provisions of this Act for the protection of the bonds and other obligations being secured and the assurance that the revenues from such facilities will be sufficient to operate such system, maintain the same in good repair and in good operating condition, pay the principal of and the interest on any bonds payable from such revenues, and maintain such reserve as may be deemed appropriate for the protection of the bonds, the efficient operation of such facilities and the making of replace-

ments thereof and capital improvements thereto. Any contract pursuant to the provisions of this section may be set forth in any resolution of the board authorizing the issuance of bonds or the assumption of obligations or in any mortgage and deed of trust, or trust indenture made by the Authority hereunder.

Section 12. Notice of Pledge of Revenues. Any pledge of revenues from the operation of air transportation facilities of an Authority shall be valid and binding from the time it is made, and the revenues so pledged and thereafter received by the Authority shall immediately become subject to the lien of such pledge without any physical delivery thereof or further act. The lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether the parties have actual notice thereof, from the time a statement is filed in the office of the Judge of Probate of the county of incorporation. Such notice need state only the date on which the resolution authorizing the issuance of the bonds was adopted by the board, the principal amount of bonds issued, a brief description of the revenues so pledged and a brief description of any property the revenues from which are so pledged. The method provided in this section for the giving of notice of any such pledge of revenues shall be in addition to, and not in lieu of, any other methods now or hereafter provided under the laws of the state for the giving of notice of a pledge of, or the creation or perfection of a lien on or a security interest in, such revenues.

Section 13. Proceeds from Sale of Bonds. All moneys derived from the sale of any bonds issued by the Authority shall be used solely for the purpose or purposes for which the same are authorized and any costs and expenses incidental thereto. Such costs and expenses may include but shall not be limited to (1) the fiscal, engineering, legal and other expenses incurred in connection with the issuance of the bonds, (2) in the case of bonds issued to pay costs of acquiring or constructing all or any part of an air transportation facility, interest on such bonds (or, if a part only of any series of bonds is issued for acquisition or construction purposes, interest on that portion of the bonds of the series that is issued to pay such acquisition or construction costs) prior to and during such acquisition or construction and for not exceeding one year after completion of such acquisition or construction, and (3) in the case of bonds isude for the purpose of refunding principal and interest, or either, with respect to bonds issued or obligations assumed by the Authority, any premium that it may be necessary to pay in order to redeem or retire the bonds or other obligations to be refunded.

Section 14. Cooperation; Aid From Other Public Bodies. For the purpose of aiding or cooperating with the Authority in the planning, development, undertaking, construction, acquisition, extension, improvement, operation or protection of air transportation facilities, any county, municipality or other political subdivision, public corporation, agency or instrumentality of this State may, upon such terms and with or without consideration, as it may determine; (a) lend or donate money to, or perform services for the benefit of, the Authority; (b) donate, sell, convey, transfer, lease or grant to the Authority, without the necessity of authorization at any election of qualified voters, any property of any kind, including, but without limitation, any air transportation facility, any interest in any thereof, and any franchise; (c) provide that all or a portion of the taxes or funds available or to become available to, or required by

law to be used by, it for air transportation facilities or for the support of public aviation generally, be transferred or paid directly to the Authority as such funds become available; (d) furnish, dedicate, close, pave, repair, install, grade, regrade, plan or replan streets, roads, roadways and walks from established streets or roads to any air transportation facility of the Authority; and (e) do any and all things, whether or not specifically authorized in this section, not otherwise prohibited by law, that may be necessary or convenient to aid and cooperate with the Authority in the planning, undertaking, construction, acquisition, or operation of air transportation facilities.

Section 15. Suits Against the Authority or Any Director. No action or suit shall be brought or maintained against the Authority or any director thereof, for or on account of the negligence of such Authority or director, or its or his agents, servants or employees, in or about the construction, maintenance, operation superintendence or management of any air transportation facility owned or controlled by the Authority.

Section 16. Exemption from Zoning Restrictions; Zoning Powers. The Authority shall be exempt from all zoning laws, ordinances and regulations. The Authority shall have the same zoning powers, with respect to the zoning of airports in unincorporated areas owned or operated by such Authority and the zoning of unincorporated areas lying within two miles of the boundaries of such airports as are conferred by Act No. 730 enacted at the 1953 Regular Session of the Legislature of Alabama on municipalities owning or operating airports.

Section 17. Exemption from Taxation. The property and income of the Authority, all bonds issued by the Authority, the income from such bonds, conveyances by or to the Authority, and leases, mortgages, and deeds of trust by or to the Authority shall be exempt from all taxation in the State of Alabama. The Authority shall be exempt from all taxes levied by any county, municipality, or other political subdivision of the state, including, but without limitation to, license and excise taxes imposed in respect of the privilege of engaging in any of the activities that an Authority may engage in. The Authority shall not be obligated to pay or allow any fees, taxes or costs to the Judge of Probate of any county in respect of its incorporation, the amendment of its certificate of incorporation, or the recording of any document. Nothing in this section shall be construed to exempt concessionaires, licensees, tenants, operators or lessees of the Authority from the payment of any taxes, including but without limitation to license or privilege taxes levied by the state or any county or municipality.

Section 18. Freedom of Authority from Public Service Commission and Other State Supervision and Control. This Act is intended to aid the state in the execution of its duties by providing appropriate and independent instrumentalities of the state with full and adequate powers to fulfill their functions. Except as in this Act expressly otherwise provided, no proceeding, notice or approval shall be required for the incorporation of any Authority or the amendment of its certificate of incorporation, the acquisition of any air transportation facilities or other property, or the issuance of any bonds, mortgage and deed of trust, or trust indenture. The Authority, all property of the Authority, and the fees, tolls, rents and other charges for the use of such property or for any services therefrom, shall

be exempt from all jurisdiction of, and all regulation and supervision by, the Public Service Commission. Neither a public hearing nor the consent of the State Department of Finance shall be prerequisite to the issuance of bonds by the Authority.

Section 19. Aviation Director; Applicability of Civil Service or Merit System Laws. The board shall have the power to employ a general administrative officer to supervise the operation of all air transportation facilities of the Authority. Such general administrative officer, who shall have the title of Aviation Director, shall serve at the pleasure of the board and shall receive such compensation as the board may direct. All other employees of the Authority (except any employee who is also a director) shall be subject to the provisions of any civil service or merit system applicable at any time to employees of the authorizing municipality to the same extent as if such employees of the Authority were employees of such authorizing municipality.

Section 20. Annual Audits. Within thirty (30) days following the close of each fiscal year the Authority shall cause an audit of its books and records to be made for such fiscal year by an independent certified public accountant. Within ninety (90) days following the close of each fiscal year the Authority will furnish a copy of such audit to the governing body of the authorizing municipality.

Section 21. Dissolution of Authority and Vesting of Property. At any time when the Authority has no bonds or other obligations outstanding, the board may adopt a resolution, which shall be duly entered upon its minutes, declaring that the Authority shall be dissolved. Upon the filing for record of a certified copy of the said resolution in the office of the Judge of Probate of the county of incorporation, the Authority shall thereupon stand dissolved and in the event it owned any property at the time of its dissolution, the title to all its properties shall thereupon pass to the authorizing municipality .

Section 22. Existence of an Authority Not To Prevent Incorporation of Another by the Same Municipality. The existence of an Authority incorporated under the provisions of this Act shall not prevent the subsequent incorporation hereunder of another Authority pursuant to authority granted by the same municipality.

Section 23. Provisions are Cumulative. The provisions of this Act are cumulative and shall not be deemed to repeal existing laws, except to the extent such laws are clearly inconsistent with provisions of this Act.

Section 24. Severability. In the event any section, sentence, clause or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 25. Effective Date of Act. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		—86

And the bill, H. 399, as thus amended:

To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the propert application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of Securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or

create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		

—86

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Harris, Straiton, Taylor and Hobbie, unanimous consent was granted to have their names added as co-sponsor to the bill, H. 399.

And the bill:

H. 400. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, approved August 19, 1971, entitled "An Act Requiring the

registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefore," so as to add Baldwin County to the list of counties to which the Act does not apply.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lang	Slate
Baker	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Easters	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Boles	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Grainger	Nettles	Timmons
Carter	Gray (F)	O'Daniel	Turner
Casey	Hale	Owens	Turnham
Cherner	Hardin	Parker (T)	Waggoner
Chesnut	Harris	Perloff	Wallace
Collins	Headley	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Roberts	Wise
Crawford	Jones (F)		

—86

And the bill:

H. 285. (With Substitute): To provide for the control of and the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the control of and the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

Be It Enacted by the Legislature of Alabama:

Section 1. In order to provide a measure of control concerning certain purchases made by circuit judges, any circuit judge desiring to pur-

chase law books, equipment for his office, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court, other than telephone service, stationery, stamps and office supplies, said circuit judge should make application in advance of the purchase to the Department of Court Management pertaining to the proposed purchase. Upon receipt of such applications by the Department of Court Management, the Court Administrator or the Chief Justice is authorized and empowered to approve or disapprove any proposed purchase, bearing in mind the items requested, need for the purchase and the money available in connection with such proposed purchase and other such requests or purchases made or to be made during the fiscal year. Upon approval of such applications by the Court Administrator or the Chief Justice, such applications will be forwarded to the Department of Finance to be processed in the normal manner. The cost and expense of such purchases shall be charged against the appropriation entitled, "For telephone service, stationery, stamps and necessary office supplies for the office use of circuit judges", or against the appropriation listed for salaries and travel expenses of special judges, or against the appropriation made for travel expenses of circuit judges or against the appropriation made to the Department of Court Management, in accordance with the direction of the Chief Justice. The Chief Justice is authorized and empowered to direct that circuit judges be reimbursed for the purchases of such items made by circuit judges prior to the effective date of this act, provided the said purchases were made during the fiscal year beginning October 1, 1971.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Reynolds
Adams	Downing	Jones (E)	Robertson
Baker	Easters	Jones (F)	St. John
Bassett	Edwards	King	Slate
Benton	Erdreich	Kinsey	Smith (P)
Boles	Falkenburg	Lutz	Snell
Bowers	Gafford	McBride	Stewar'
Brassell	Goodwin	McCluskey	Stokes
Burgess	Grainger	Manley	Straiton
Carnes	Gray (F)	Merrill	Stubbs
Carter	Grey (D)	Mims	Therrell
Chesnut	Hale	Nettles	Timmons
Connell	Hardin	Owens	Turnham
Coshatt	Harris	Pruitt	Waldrop
Cross	Headley	Reed (T)	Williams
Dill	Hobbie	Reid (R)	Wise

—64

And the bill, H. 285, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	St. John
Adams	Easters	McBride	Slate
Baker	Edwards	McCluskey	Smith (P)
Bassett	Erdreich	Manley	Snell
Benton	Falkenburg	Mathews	Stewart
Bowers	Gafford	May	Stokes
Brassell	Goodwin	Merrill	Straiton
Burgess	Grainger	Mims	Stubbs
Callahan	Gray (F)	Nettles	Therrell
Carnes	Grey (D)	Owens	Timmons
Carter	Hale	Perloff	Turnham
Cherner	Hardin	Pruitt	Waggoner
Chesnut	Harris	Reed (T)	Waldrop
Connell	Headley	Reid (R)	Wallace
Coshatt	Jackson	Reynolds	Williams
Cross	Jones (F)	Roberts	Wise
Dill	King	Robertson	Wynot
Doss	Kinsey		—70

And the bill:

H. 351. (With Amendment): To create and define the offense of shoplifting and to provide the punishment therefor; to create presumptions arising out of the concealment of goods held for sale by merchants; to authorize the detention, under certain circumstances, of persons concealing such goods; to exempt merchants and other persons from civil or criminal liability in certain cases; and for related purposes.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill Number 351 by striking Section 3 in its entirety and renumbering the subsequent sections accordingly.

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Connell	Grey (D)	McBride
Adams	Coshatt	Hardin	McCluskey
Adwell	Cross	Harris	Manley
Baker	Dill	Headley	May
Bassett	Downing	Jackson	Meeks
Benton	Easters	Jones (E)	Merrill
Bowers	Edwards	Jones (F)	Mims
Burgess	Falkenburg	King	Nettles
Carnes	Goodwin	Kinsey	O'Daniel
Carter	Grainger	Lang	Owens
Chesnut	Gray (F)	Lutz	Perloff

Pruitt	Stewart	Taylor	Waldrop
Reed (T)	Stokes	Therrell	Williams
Reynolds	Straiton	Timmons	Wise
Roberts	Stubbs	Turner	Wynot
St. John			

—61

And the bill, H. 351, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	St. John
Adams	Easters	McBride	Slate
Adwell	Edwards	McCluskey	Smith (P)
Baker	Gafford	Manley	Stewart
Bassett	Goodwin	May	Stokes
Benton	Grainger	Meeks	Straiton
Bowers	Gray (F)	Merrill	Stubbs
Burgess	Grey (D)	Mims	Taylor
Callahan	Hale	Nettles	Therrell
Carnes	Hardin	O'Daniel	Timmons
Carter	Harris	Owens	Turner
Cherner	Headley	Perloff	Turnham
Chesnut	Jackson	Pruitt	Waldrop
Connell	Jones (F)	Reed (T)	Wallace
Coshatt	King	Reid (R)	Williams
Crawford	Kinsey	Reynolds	Wise
Cross	Lang	Roberts	Wynot
Dill			

—69

RECESS

On motion of Mr. Turnham, the House recessed for five minutes, to allow the Standing Committee on Education to meet.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

And the bill:

S. 120. To authorize the formation of professional corporations for the purpose of rendering professional services; to prescribe the manner of organization of such corporations; to limit the purposes of the organization of such corporations; to limit membership in or shareholders of such corporations to persons so licensed to practice in the State of Alabama; to regulate the naming of such corporations; to regulate the issuance of stock in such corporations; to regulate the rendering of professional services furnished by such corporations; to preserve professional relationships and regulations; to prohibit certain acts; to provide for severance of interests in such corporations; to provide for the death or disqualification of shareholders; to require the submission of annual certificates and reports; and to limit mergers or consolidations.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Doss	Lutz	Smith (K)
Adams	Downing	McCluskey	Smith (P)
Baker	Edwards	Manley	Stewart
Bank	Erdreich	May	Stokes
Bassett	Falkenburg	Meeks	Straiton
Bowers	Goodwin	Mims	Stubbs
Brassell	Grainger	Nettles	Taylor
Burgess	Grey (D)	O'Daniel	Therrell
Callahan	Hale	Parker (T)	Timmons
Carnes	Hardin	Perloff	Turnham
Cherner	Harris	Pruitt	Waldrop
Chesnut	Hobbie	Reid (R)	Wallace
Coshatt	Jones (E)	Reynolds	Weeks
Cottingham	Jones (F)	St. John	Williams
Culver	King	Slate	Wynot
Dill			—61

And the bill:

H. 135. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Lutz	St. John
Adams	Downing	McCluskey	Slate
Baker	Easters	McCorquodale	Smith (K)
Bank	Edwards	Manley	Smith (P)
Barkett	Ellis	Mathews	Snell
Bassett	Erdreich	May	Stewart
Boles	Falkenburg	Meeks	Stokes
Bowers	Goodwin	Merrill	Straiton
Burgess	Grainger	Mims	Stubbs
Callahan	Grey (D)	Nettles	Taylor
Carnes	Hale	O'Daniel	Timmons
Carter	Hardin	Owens	Turnham
Chesnut	Harris	Parker (T)	Waldrop
Collins	Headley	Perloff	Wallace
Connell	Hobbie	Pruitt	Weeks
Coshatt	Jackson	Reed (T)	Williams
Cottingham	Jones (E)	Reid (R)	Wise
Culver	Jones (F)	Reynolds	Wynot
Dill	King	Robertson	—75

UNANIMOUS CONSENT

At the request of Mrs. Wynot, unanimous consent was granted to have her name added as co-sponsor to the bill, H. 135.

And the bill:

H. 136. To amend further Code of Alabama 1940, Title 30, Section 21, relating to persons on jury rolls.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 2.

Yeas:

Mr. Speaker	Dill	King	St. John
Baker	Downing	Lutz	Smith (K)
Bank	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Stewart
Bassett	Ellis	Manley	Stokes
Boles	Goodwin	Merrill	Straiton
Bowers	Grainger	Mims	Taylor
Burgess	Grey (D)	Nettles	Therrell
Callahan	Hale	O'Daniel	Turner
Carnes	Hardin	Owens	Turnham
Chesnut	Harris	Parker (T)	Waldrop
Collins	Headley	Perloff	Wallace
Connell	Hobbie	Pruitt	Weeks
Coshatt	Jackson	Reid (R)	Williams
Cottingham	Jones (E)	Reynolds	Wise
Culver	Jones (F)	Robertson	Wynot

—64

Nays: Messrs. Meeks and Stubbs. —2

And the bill:

H. 335. To amend Section 587 of Title 37, Code of Alabama, 1940, as amended, relating to appeal from Recorder's Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (F)	St. John
Adwell	Downing	King	Smith (K)
Baker	Easters	Lutz	Smith (P)
Bank	Edwards	McCorquodale	Stewart
Barkett	Ellis	Manley	Stokes
Bassett	Erdreich	Meeks	Straiton
Boles	Falkenburg	Merrill	Stubbs
Bowers	Gafford	Mims	Taylor
Burgess	Gloor	Nettles	Therrell
Callahan	Goodwin	O'Daniel	Timmons
Carnes	Grainger	Owens	Turner
Cherner	Grey (D)	Parker (T)	Turnham
Chesnut	Hale	Perloff	Waldrop
Collins	Hardin	Pruitt	Wallace
Connell	Harris	Reed (T)	Weeks
Coshatt	Headley	Reid (R)	Williams
Cottingham	Hobbie	Reynolds	Wise
Culver	Jackson	Robertson	Wynot
Dill	Jones (E)		

—74

And the bill:

H. 323. To amend Section 1 of Act No. 1099, S. 49, Regular Session 1969 (Acts 1969, p. 2035), which provides penalties for persons convicted

of stealing fish from persons engaged in fish farming; providing further that the stealing of catfish shall be a felony.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Downing	King	Smith (K)
Adams	Easters	Lutz	Smith (P)
Baker	Edwards	McCluskey	Snell
Barkett	Ellis	McCorquodale	Straiton
Bassett	Erdreich	Manley	Stubbs
Benton	Falkenburg	May	Taylor
Boles	Gafford	Meeks	Therrell
Bowers	Goodwin	Mims	Timmons
Callahan	Grainger	Nettles	Turner
Carnes	Grey (D)	O'Daniel	Turnham
Chesnut	Hale	Owens	Waggoner
Collins	Hardin	Perloff	Waldrop
Connell	Harris	Pruitt	Wallace
Coshatt	Headley	Reid (R)	Warren
Cottingham	Hobbie	Reynolds	Weeks
Culver	Jackson	Robertson	Williams
Dill	Jones (E)	St. John	Wise
Doss	Jones (F)	Slate	—71

Nay: Mr. Stokes. —1

And the bill:

H. 328. To amend further Sections 5 and 22 of Act No. 2485, S. 483, 1971 Regular Session, approved October 1, 1971, entitled "An Act To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws," so as to provide further for the qualification of licensees and to change the effective date of said Act to October 1, 1972.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Boles	Collins	Downing
Adams	Bowers	Connell	Edwards
Adwell	Burgess	Coshatt	Ellis
Baker	Callahan	Cottingham	Erdreich
Bank	Carnes	Culver	Gafford
Bassett	Casey	Dill	Gloor
Benton	Chesnut	Doss	Goodwin

Grainger	Mathews	Reynolds	Taylor
Grey (D)	May	Robertson	Therrell
Hale	Meeks	St. John	Timmons
Hardin	Merrill	Slate	Turner
Harris	Mims	Smith (K)	Turnham
Headley	Nettles	Smith (P)	Waggoner
Jones (E)	O'Daniel	Snell	Waldrop
Jones (F)	Owens	Stewart	Wallace
King	Perloff	Stokes	Weeks
Lutz	Pruitt	Straiton	Williams
McCluskey	Reed (T)	Stubbs	Wise
Manley	Reid (R)		

—74

UNANIMOUS CONSENT

At the request of Mr. Taylor, unanimous consent was granted for his name to be removed as a co-sponsor of H. R. 106.

And the bill:

H. 329. (With Amendment): To appropriate $15,000 to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 329 by changing the figure "$15,000" wherever it may appear in the Bill or its synopsis to read "$35,000".

AMENDMENT TABLED

On motion of Mr. St. John, the amendment offered by the Standing Committee on Judiciary to the bill, H. 329, was tabled.

Yeas 62; Nays 4.

Yeas:

Mr. Speaker	Downing	McCluskey	Smith (K)
Baker	Edwards	Manley	Smith (P)
Bank	Ellis	Mathews	Snell
Barkett	Erdreich	May	Stewart
Bassett	Goodwin	Meeks	Stokes
Benton	Grainger	Merrill	Straiton
Boles	Grey (D)	Mims	Stubbs
Burgess	Hale	Nettles	Taylor
Callahan	Hardin	O'Daniel	Therrell
Carnes	Harris	Owens	Turner
Casey	Headley	Perloff	Turnham
Chesnut	Jackson	Pruitt	Waggoner
Collins	Jones (E)	Reed (T)	Wallace
Connell	Jones (F)	Reynolds	Weeks
Cottingham	King	Slate	Wise
Culver	Lutz		

—62

Nays:

Messrs.:

Adwell	Dill	Robertson	Timmons

—4

And the bill, H. 329, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adams	Doss	Lutz	Smith (K)
Adwell	Downing	McCluskey	Smith (P)
Bank	Easters	Manley	Snell
Barkett	Edwards	Mathews	Stewart
Bassett	Ellis	May	Stokes
Benton	Erdreich	Meeks	Straiton
Boles	Falkenburg	Merrill	Stubbs
Bowers	Gafford	Mims	Taylor
Burgess	Goodwin	Nettles	Therrell
Callahan	Grainger	O'Daniel	Timmons
Carnes	Grey (D)	Owens	Turner
Casey	Hale	Perloff	Turnham
Chesnut	Harris	Pruitt	Waggoner
Collins	Headley	Reid (R)	Wallace
Connell	Jackson	Reynolds	Weeks
Coshatt	Jones (E)	Robertson	Williams
Cottingham	Jones (F)	St. John	Wise
Culver			

—73

And the bill:

H. 331. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 8.

Yeas:

Messrs.:	Doss	King	Reid (R)
Adams	Downing	Lutz	Reynolds
Bank	Ellis	McCluskey	Robertson
Benton	Erdreich	Manley	St. John
Boles	Falkenburg	Mathews	Slate
Bowers	Gafford	May	Smith (K)
Burgess	Goodwin	Meeks	Stewart
Callahan	Grainger	Merrill	Stokes
Casey	Grey (D)	Mims	Stubbs
Chesnut	Hale	Nettles	Therrell
Collins	Headley	O'Daniel	Turnham
Connell	Jackson	Parker (T)	Waggoner
Coshatt	Jones (E)	Perloff	Wallace
Cottingham	Jones (F)	Pruitt	Weeks
Culver			

—56

Nays:

Messrs.:	Dill	Straiton	Timmons
Bassett	Hardin	Taylor	Turner
Carnes			

—8

And the bill:

H. 380. To make a supplemental appropriation from the State General Fund to the Alabama Commission on Aging for the purpose of matching Federal Funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adams	Doss	Lutz	Smith (K)
Adwell	Downing	McCluskey	Smith (P)
Bank	Easters	McCorquodale	Snell
Bassett	Edwards	Manley	Stewart
Benton	Ellis	Mathews	Stokes
Boles	Erdreich	May	Straiton
Bowers	Gafford	Meeks	Stubbs
Brassell	Gloor	Merrill	Taylor
Burgess	Goodwin	Mims	Therrell
Callahan	Grainger	Nettles	Turner
Carnes	Grey (D)	Owens	Turnham
Casey	Hale	Parker (T)	Waggoner
Chesnut	Hardin	Perloff	Waldrop
Collins	Harris	Pruitt	Wallace
Connell	Headley	Reid (R)	Weeks
Coshatt	Jackson	Reynolds	Williams
Cottingham	Jones (E)	Robertson	Wise
Culver	Jones (F)	St. John	—75

And the bill:

H. 393. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Chesnut
Adams	Benton	Carnes	Collins
Bank	Boles	Casey	Connell
Barkett	Bowers	Cherner	Coshatt

Cottingham	Hardin	Merrill	Stokes
Crawford	Harris	Nettles	Straiton
Culver	Headley	Owens	Stubbs
Dill	Hobbie	Parker (T)	Taylor
Downing	Jackson	Perloff	Therrell
Easters	Jones (E)	Pruitt	Timmons
Edwards	Jones (F)	Reed (T)	Turner
Ellis	King	Reid (R)	Waggoner
Gafford	Lutz	Reynolds	Waldrop
Gloor	McCluskey	Robertson	Wallace
Goodwin	McCorquodale	St. John	Weeks
Grainger	Manley	Slate	Williams
Gray (F)	Mathews	Smith (K)	Wise
Grey (D)	May	Smith (P)	Wynot
Hale	Meeks	Stewart	

—75

And the bill:

H. 272. To amend Section 5 of Act No. 202, Acts of Alabama, Regular Session, 1953, as amended by Act No. 653, Acts of Alabama, Regular Session, 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Robertson
Adams	Downing	Lutz	St. John
Adwell	Easters	McCluskey	Slate
Bank	Edwards	McCorquodale	Smith (K)
Barkett	Ellis	Manley	Smith (P)
Bassett	Erdreich	May	Stewart
Benton	Goodwin	Meeks	Stokes
Boles	Grainger	Merrill	Stubbs
Bowers	Gray (F)	Mims	Taylor
Callahan	Grey (D)	Nettles	Therrell
Carnes	Hale	O'Daniel	Turner
Casey	Hardin	Owens	Turnham
Chesnut	Harris	Parker (T)	Waggoner
Collins	Headley	Perloff	Waldrop
Connell	Hobbie	Pruitt	Wallace
Coshatt	Jackson	Reed (T)	Weeks
Cottingham	Jones (E)	Reid (R)	Williams
Crawford	Jones (F)	Reynolds	Wise
Culver			

—73

And the bill:

H. 303. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Downing	Lutz	St. John
Adwell	Easters	McCluskey	Slate
Baker	Edwards	McCorquodale	Smith (K)
Bank	Erdreich	Manley	Smith (P)
Barkett	Gafford	Mathews	Stokes
Bassett	Goodwin	May	Straiton
Benton	Grainger	Meeks	Stubbs
Boles	Gray (F)	Mims	Taylor
Bowers	Grey (D)	Nettles	Therrell
Callahan	Hale	O'Daniel	Turner
Carnes	Hardin	Owens	Turnham
Casey	Harris	Parker (T)	Waggoner
Chesnut	Headley	Perloff	Waldrop
Collins	Hobbie	Pruitt	Wallace
Connell	Jackson	Reed (T)	Weeks
Coshatt	Jones (E)	Reid (R)	Williams
Cottingham	Jones (F)	Reynolds	Wise
Crawford	King		—74

Nay: Mr. Dill. —1

And the bill:

H. 332. (With Amendment): Relating to Education; to require all public school principals within the State to report all acts of violence or threatened acts of violence where the aid or assistance of law enforcement officers is either required or requested, to the State Superintendent of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend House Bill 332 in Section 3 by adding a comma at the end thereof and add the following:

"but reports shall not state the name or race of individuals involved, nor shall such reports be published except pursuant to regulations promulgated by the State Board of Education."

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Callahan	Cottingham	Falkenburg
Adams	Carnes	Crawford	Gafford
Adwell	Casey	Culver	Goodwin
Bank	Cherner	Dill	Grainger
Bassett	Chesnut	Doss	Grey (D)
Benton	Collins	Downing	Hale
Boles	Connell	Edwards	Hardin
Bowers	Coshatt	Erdreich	Harris

Headley	May	Reynolds	Taylor
Hobbie	Meeks	Robertson	Therrell
Jackson	Merrill	St. John	Turner
Jones (E)	Mims	Slate	Turnham
Jones (F)	Nettles	Smith (K)	Waggoner
King	O'Daniel	Smith (P)	Waldrop
Lutz	Owens	Stewart	Wallace
McCluskey	Parker (T)	Stokes	Weeks
McCorquodale	Perloff	Straiton	Williams
Manley	Reid (R)	Stubbs	Wise
Mathews			

—73

Mr. Boles offered the following amendment to the bill, H. 332, as amended:

Amend H. B. 332 by deleting the title thereof and inserting in lieu thereof the following title:

"Relating to Education; to require all public school principals within the State to report all acts of violence or other acts where aid or assistance of law enforcement officers is either required or requested, to the State Board of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

ALSO, amend H. B. 332, Section 1, by deleting said Section 1 in its entirety and inserting in lieu thereof the following new Section 1:

"Section 1. The principal of any public school within the State of Alabama, where either an act of violence or other act which act necessitates the principal or other school official to request assistance or aid from any law enforcement officer, shall report such act to the State Board of Education as provided by this Act."

ALSO, amend H. B. 332, Section 2, by deleting said Section 2 in its entirety and inserting in lieu thereof the following new Section 2:

"Section 2. All reports, the filing of which are required under the provisions of this Act, shall be filed within five days of the occurrence of the act of violence or other act which necessitated a request by the principal or other school official for assistance from any law enforcement official."

ALSO, amend H. B. 332 by inserting a new section 2-A after Section 2, as follows:

"Section 2-A. The principal of any public school within the State of Alabama shall file a report at least once a month with the State Board of Education."

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 252. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Madison County shall be made.

Also:

H. 253. Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

H. 254. To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties.

Also:

H. 255. To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

H. 256. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

Also:

H. 262. To authorize the county boards of education in all counties having populations of not less than 26,725 nor more than 27,250, according to the last or any subsequent federal decennial census, to furnish certain supplies and services, used for educational purposes, heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Also:

H. 264. Relating to counties having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to authorize the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Also:

H. 224. Relating to all counties having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census, to provide for the regulation of parking on property of such counties around the county courthouse; to set a time limit for motor vehicles to be parked; to regulate parking of vehicles blocking driveways for unreasonable periods; to prohibit blocking of other vehicles lawfully parked and to prohibit parking in unauthorized places; and to authorize the sheriff and such persons as he may deputize, to enforce the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 357. To provide for the qualifications of the superintendent of education in any county having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Also:

H. 358. To regulate the compensation of county superintendents of education in counties having populations of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Also:

H. 364. To repeal Act No. 1389 of the 1971 Regular Session relating to counties having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

H. 213. Relating to the financing of sanitary sewers in each county having a population of 600,000 or more according to the last or any subsequent federal decennial census; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring or providing sanitary sewer facilities for the collection, transmission, treatment and disposal of sewage; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the revenues from such facilities, or the proceeds from certain taxes, or both such revenues and such taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to authorize any such county to enter into the undertakings and to assume the obligations permitted by Act No. 42 enacted at the 1971 Regular Session of the Legislature; to provide that the issuance of any warrants and the interest coupons applicable thereto or the execution of any contract pursuant to the said Act No. 42 shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof; to exempt such warrants and contracts from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Also:

H. 280. To repeal Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971, entitled, "An act relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 201. To authorize and permit grocery stores to remain open on Sunday in each County in the State having a population of not less than 50,000 and not more than 52,500 inhabitants according to the last or any succeeding Federal Census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday, and further provided that said grocery store does not exceed 3,500 square feet of floor space, and to provide licensing such grocery stores by the license issuing officer of such County; authorizing the State to enjoin grocery stores remaining open on Sunday contrary to this Act.

Also:

H. 237. To provide an allowance to the Judge of the Second Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Also:

H. 279. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants, according to the last or any subsequent federal decennial census; to provide an additional allowance for all salaried deputies of such counties.

Also:

H. 293. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to authorize the county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands within the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 309. Relating to all counties having a population of not less than 12,000 nor more than 12,800 according to the most recent federal decennial census; to provide further for the pay of the coroner.

Also:

H. 311. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 6,836, nor more than 6,907.

Also:

H. 310. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, whose roads and bridges are constructed and maintained by the State Highway Department, forbidding the judge of probate to remit certain funds to the State Highway Department.

Also:

H. 319. To amend further Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis, amending such Act in relation to the powers of the board of directors of the authority relative to the handling of funds of the authority.

Also:

H. 315. To authorize the sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

H. 317. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide compensation for members of the county hospital board.

Also:

H. 325. Relating to all counties having a population of not less than 50,000 nor more than 52,500 inhabitants according to the most recent federal decennial census; to repeal any Act relating to such counties numbered Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971.

Also:

H. 348. To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

Also:

H. 349. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

Also:

H. 350. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 71. NAMING THE ELBA AIRPORT "THE CARL FOLSOM AIRPORT"

Also:

H. J. R. 72. Mourning the death of Representative George Andrews

Also:

H. J. R. 80. Commending the City of Sumiton, the City Council, the Mayor and the Citizenry for the dedication of their new Municipal Building.

Also:

H. J. R. 81. Mourning the death of Henry Ward McMillan.

Also:

H. J. R. 82. Mourning the death of Geddes Self, Sr.

Also:

H. J. R. 83. Mourning the death of Murray Chesley Argo, Sr.

Also:

H. J. R. 84. Commending Edgar Allan Poe upon his election as President of the Gridiron Club.

Also:

H. J. R. 89. Mourning the death of John Ed. Wallis.

Also:

H. J. R. 93. Mourning the death of Corbin Hardaway, Jr.

Also:

H. J. R. 94. Mourning the death of Oscar "Pop" McIntosh Spencer.

Also:

H. J. R. 95. Mourning the death of Robert Horton Rutland, Jr.

Also:

H. J. R. 97. Honoring Dr. Alston Callahan for services and outstanding work done in Birmingham, Alabama.

Also:

H. J. R. 101. Commending Trooper Lynn A. Wright for winning the "Trooper of the Year" award for 1971.

Also:

H. J. R. 110. Congratulating Jack Palmer for winning the National Punt, Pass and Kick Contest.

Also:

H. J. R. 116. Congratulating John "Bubber" Trotman for his election as President of the American National Cattlemen's Association.

Also:

H. J. R. 118. Congratulating Mike Braswell for winning the National Punt, Pass and Kick Contest.

Also:

H. J. R. 122. Commending Lee Roy Jordan for his outstanding performance in the Super Bowl.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lybrand:

S. 202. To provide for the establishment of a civic center in the municipality wherein is located the county seat of any county of the State having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census (any such county being hereinafter referred to in this title as "the county" or "such county"); to provide for the creation of a public corporation hereinafter called "the Authority," for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a board of directors and that its affairs shall be managed and controlled by the board of directors; to define the powers and authority of the board of directors, including the power to construct, maintain, control, operate and manage a civic center at the county seat and to borrow money and issue revenue bonds for such purpose; to prescribe the membership of the board of directors, the terms of office of the members thereof and to provide for their appointment and compensation; to prescribe the duties of the board of directors; to confer upon the Authority the power of eminent domain; to prescribe the type of buildings which may be erected as a part of such civic center and the use of such buildings; to authorize the county and any municipality therein to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the county or the municipality, as the case may be; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this Act.

Also:

By Mr. Lybrand:

S. 203. To repeal Act No. 358, H. 772, Regular Session 1953, (Acts 1953, p. 425), approved August 17, 1953, entitled, "An Act to define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and to create a Barbers' Commission for said county; and to fix the powers and duties of said commission; and to prescribe penalties for violations hereof."

Also:

By Mr. Littleton:

S. 211. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Also:

By Mr. Branyon:

S. 204. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Also:

By Mr. Jones:

S. 220. To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting

the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 202. Local Legislation No. 1.

S. 203. Local Legislation No. 1.

S. 211. Local Legislation No. 1.

S. 204. Local Legislation No. 1.

S. 220. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 152. To provide for the additional indexing of land transfer instruments in probate offices in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding Federal decennial census.

Also:

By Mr. Carr:

S. 171. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties.

Also:

By Mr. Malone:

S. 172. To amend Section 1 of Act No. 1002, Regular Session, 1971, of the Alabama Legislature, an act relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census, authorizing the constable serving the county court to appoint a deputy constable, and providing for the term, duties and compensation of such deputy constable.

Also:

By Mr. Foshee:

S. 173. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; to provide further for the compensation of the Board of Registrars.

Also:

By Mr. Dozier:

S. 174. Relating to counties having a population of not less than 21,924, nor more than 22,960, according to the most recent Federal Decennial Census; providing expense allowances for the members of the County Commission of said counties.

Also:

By Mr. McLain:

S. 178. Relating to Solicitor's or District Attorney's Funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

By Mr. McLain:

S. 177. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions for the salary of the additional judge.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be two judges for the Madison County Court, which was created by Act No. 661, Acts of Alabama, 1957, Vol. 2, page 1003. The judge currently serving as judge of the Madison County Court when this Act becomes effective shall be judge Number One of such court and the additional judgeship hereby created shall be judge Number Two of such court. A judge for the position of judgeship Number Two on the court shall be elected at the general election in November, 1972. He shall take office as soon as he has qualified thereafter and shall serve for a term of six years and until the first Monday after the second Tuesday in January, 1979, and until his successor has been elected and has qualified. At the general election held in 1978 and every six years thereafter a judge for judgeship Number Two of the Madison County Court shall be elected by the qualified voters of Madison County. The additional judge for the Madison County Court provided for by this Act shall have and exercise all the jurisdiction, powers, rights and authority conferred on the present judge of the Madison County Court by said Act No. 661 of the Regular Session of 1957. He shall in the same manner receive the same compensation and allowances as the present judge of the Madison County Court does.

The additional judge provided for by this Act shall take the same oath of office, possess the same qualifications, be subject to the same penalties and obligations, and perform the same duties as any other judge of the Madison County Court, however, the present judge of the Madison County Court shall be the presiding judge of such court until the expiration of his term of office, and after the expiration of his term of office, the judge who has been in office as judge of such court the longest, shall be the presiding judge. If neither of them has been in office longer than the other then the judge who is the oldest shall be the presiding judge. It shall be the duty of the presiding judge to supervise the administrative functions of the Madison County Court, however, all the judges of such court shall have authority to direct activities of the Madison County Court so long as the orders of the associate judge do not conflict with the orders of the presiding judge.

Section 2. If the judge for position Number One and the judge for position Number Two are both holding court at the same time, then the judge for Place Number Two shall have authority to order the sheriff of Madison County to furnish him a deputy to serve as bailiff of the court.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on DEC. 22, DEC. 30, 1971, JAN. 4, and JAN. 10, 1972.

GARY BUCKNER.

Sworn to and subscribed before me JAN. 10, 1972.

OPAL H. DILWORTH,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 152. Local Legislation No. 1.

S. 171. Local Legislation No. 1.

S. 172. Local Legislation No. 1.

S. 173. Local Legislation No. 1.

S. 174. Local Legislation No. 1.

S. 178. Local Legislation No. 4.

S. 177. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 162. To apply only in counties having a population of not less than 75,000 nor more than 90,000; to revise the requirements and salary of the Judge of any county court of general jurisdiction in such counties.

Also:

By Mr. Shelby:

S. 151. To provide that in all counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the last or any succeeding Federal decennial census, it shall be unlawful for any person to file for record certain legal documents that do not have legibly printed, typewritten or stamped thereon the name and address of the person or persons who prepared such legal documents, and to provide that it shall be a misdemeanor for anyone to falsify said statement; and

To further provide that in all such counties, the judge of probate shall not be liable in damages or penalty for any error or mistake in the performance of the duties prescribed by this act if committed in good faith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 162. Local Legislation No. 1.

S. 151. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 138. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting acts.

Also:

S. 154. To repeal Act No. 290, H. 418, 1965 Regular Session, entitled, "An Act Relating to counties having populations of not less than 100,000 and not more than 115,000 according to the most recent federal decennial census; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties."

Also:

S. 153. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, to provide further for the compensation of members of boards of registrars in such counties.

Also:

S. 113. To provide for the duties and compensation for the members of the Board of Equalization in all counties having a population of not less than 300,000 nor more than 500,000 according to the last federal decennial census.

Also:

S. 133. To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

S. 145. Relating to court houses, jails and public buildings in each county having a population of not less than 55,000 nor more than 65,000 according to the last or any subsequent federal decennial census; to authorize any such county to acquire off-street parking facilities in the vicinity of any such court house, jail or public building; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring and constructing court houses, jails and public buildings, and extensions to or improvements of existing court houses, jails or public buildings, including off-street parking facilities; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the proceeds from any tax or taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds pledged to the payment thereof; to exempt such warrants from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 6:00 P. M. on February 1, 1972:

H. 54. (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

Mr. Grainger moved that the House adjourn until Wednesday, February 2, 1972, at eleven o'clock a. m.

The substitute motion of Mr. Stokes that the House adjourn until Wednesday, February 2, 1972, at two o'clock p. m., was lost.

Yeas 20; Nays 57.

Yeas:

Messrs.:	Culver	Goodwin	Roberts
Adams	Downing	Harris	Robertson
Baker	Edwards	Parker (T)	Smith (K)
Bank	Erdreich	Reed (T)	Stokes
Burgess	Falkenburg	Reid (R)	Straiton
Casey			—20

Nays:

Mr. Speaker	Easters	Lang	Smith (P)
Adwell	Gafford	Lutz	Snell
Barkett	Gloor	McCluskey	Stubbs
Benton	Grainger	McCorquodale	Taylor
Boles	Gray (F)	Manley	Therrell
Bowers	Grey (D)	Mathews	Turner
Callahan	Hale	May	Turnham
Carnes	Hardin	Meeks	Waggoner
Carter	Headley	Merrill	Waldrop
Cherner	Hobbie	Owens	Wallace
Chesnut	Jackson	Perloff	Warren
Collins	Jones (E)	Reynolds	Weeks
Connell	Jones (F)	St. John	Williams
Cottingham	King	Slate	Wise
Dill			—57

The substitute motion of Mr. Perloff that the House adjourn until Wednesday, February 2, 1972, at 12 o'clock noon, was adopted.

Yeas 42; Nays 38.

Yeas:

Mr. Speaker	Dill	McCorquodale	Snell
Adams	Easters	Manley	Straiton
Baker	Edwards	Mathews	Stubbs
Barkett	Gloor	Merrill	Taylor
Bassett	Goodwin	O'Daniel	Therrell
Burgess	Grainger	Parker (T)	Warren
Callahan	Gray (F)	Perloff	Weeks
Carter	Hardin	Reed (T)	Williams
Casey	Harris	Reynolds	Wise
Chesnut	Jones (F)	Roberts	Wynot
Collins	King		—42

Nays:

Messrs.:	Culver	Jones (E)	Smith (K)
Bank	Doss	Lang	Smith (P)
Benton	Downing	Lutz	Stewart
Boles	Erdreich	McCluskey	Stokes
Bowers	Falkenburg	May	Turner
Carnes	Gafford	Meeks	Turnham
Cherner	Grey (D)	Reid (R)	Waggoner
Connell	Hale	Robertson	Waldrop
Cottingham	Hobbie	St. John	Wallace
Crawford	Jackson	Slate	—38

ADJOURNMENT

The question, then, was on the motion to adjourn, as substituted. The motion was adopted, and the House adjourned until Wednesday, February 2, 1972, at 12 o'clock Noon.

Yeas 43; Nays 35.

Yeas:

Messrs.:	Culver	Lang	Robertson
Adams	Dill	Lutz	St. John
Baker	Downing	McCorquodale	Slate
Bank	Edwards	Manley	Stokes
Bassett	Gloor	Mathews	Straiton
Burgess	Goodwin	Merrill	Taylor
Callahan	Grainger	Nettles	Therrell
Carter	Gray (F)	Parker (T)	Timmons
Casey	Hardin	Perloff	Weeks
Chesnut	Jones (F)	Pruitt	Wise
Connell	King	Roberts	Wynot
			—43

Nays:

Mr. Speaker	Doss	Jones (E)	Snell
Benton	Erdreich	McCluskey	Stewart
Boles	Falkenburg	May	Turner
Carnes	Gafford	Meeks	Turnham
Cherner	Hale	O'Daniel	Waggoner
Collins	Harris	Owens	Waldrop
Coshatt	Headley	Parker (H)	Wallace
Cottingham	Hobbie	Smith (K)	Williams
Crawford	Jackson	Smith (P)	—35

TWENTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, February 2, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Chriss Doss, Birmingham, Alabama, Chaplain of the House of Representatives.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dill	Kinsey	Robertson
Adams	Doss	Lang	St. John
Adwell	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Benton	Edwards	McCorquodale	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	Manley	Stokes
Bowers	Falkenburg	Mathews	Straiton
Brassell	Fite	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Gloor	Merrill	Therrell
Carnes	Goodwin	Mims	Timmons
Carter	Grainger	Naramore	Turner
Casey	Gray (F)	Nettles	Turnham
Cauthen	Grey (D)	O'Daniel	Waggoner
Cherner	Hardin	Owens	Waldrop
Chesnut	Harris	Parker (H)	Wallace
Collins	Headley	Parker (T)	Warren
Connell	Hobbie	Perloff	Weeks
Coshatt	Jackson	Pruitt	Williams
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wood
Crowe	King	Reynolds	Wynot
Culver			

—97

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-third legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Grainger, leave of absence was granted for Mr. Hearn due to illness.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

H. J. R. 20. On motion of Mr. Reed (T), the resolution, H. J. R. 20 was adopted.

Also:

S. J. R. 22. On motion of Mr. Dill, the resolution, S. J. R. 22, was adopted.

Also:

H. J. R. 125. On motion of Mr. Gloor, the resolution, H. J. R. 125, was adopted.

Yeas 63; Nays 11.

Yeas:

Mr. Speaker	Doss	Jones (E)	Smith (P)	
Adams	Downing	Jones (F)	Snell	
Adwell	Drake	King	Stewart	
Barkett	Edwards	Lang	Stokes	
Boles	Ellis	Lutz	Straiton	
Callahan	Erdreich	McBride	Therrell	
Carnes	Falkenburg	McCluskey	Timmons	
Casey	Gloor	May	Turner	
Cauthen	Goodwin	Meeks	Turnham	
Cherner	Grainger	Owens	Waggoner	
Collins	Gray (F)	Parker (H)	Waldrop	
Connell	Grey (D)	Parker (T)	Wallace	
Coshatt	Harris	Reid (R)	Weeks	
Cottingham	Headley	Reynolds	Williams	
Culver	Hobbie	St. John	Wynot	
Dill	Jackson	Smith (K)		—63

Nays:

Messrs.:	Carter	Kinsey	Mims	
Bank	Chesnut	McCorquodale	Pruitt	
Benton	Cross	Mathews	Stubbs	
				—11

Also:

H. J. R. 135. On motion of Mr. Carnes, the resolution, H. J. R. 135, was adopted.

BILLS ON SECOND READING

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable

report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 437. Relating to counties having a population of not less than 22,575 nor more than 23,800, according to the most recent federal decennial census; to further regulate branch banking in such counties.

H. 438. To apply to counties having a population of not less than 16,600 nor more than 16,950; authorizing the Judge of Probate in such counties to hold an election for the purpose of annexing territory to any municipality whose governing body requests such an election, and prescribing the conduct of such election.

H. 445. To amend the title and Section 1 of Act No. 938, S. 17, Regular Session 1961, (Acts 1961, p. 1516) which act authorizes the establishment of branch banks within certain counties classified on a population basis, and making such amendment retroactive to September 1, 1971.

S. 172. To amend Section 1 of Act No. 1002, Regular Session, 1971, of the Alabama Legislature, an act relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census, authorizing the constable serving the county court to appoint a deputy constable, and providing for the term, duties and compensation of such deputy constable.

S. 204. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

S. 211. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 121. Relative to municipalities in this state having a population of not less than 150,000 and not more than 300,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, convention and meeting facilities, providing ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity and providing off-street parking for the use of such enterprise; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such

bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor unless paid the reasonable value thereof; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; exempting any bonds issued under the act from the laws governing usury or prescribing or limiting interest rates; exempting the municipality from the provisions of Act No. 217 of the 1967 Special Session of the Legislature of Alabama, as amended, providing for competitive bidding, in connection with such properties and contracts and agreements in connection therewith; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

H. 387. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

H. 389. To provide for supplementing the salaries of compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 440. Applying to Madison County; authorizing applications for registration to vote to be made before a clerk or other employee in the office of the board of registrars in such county, and providing that such applicants need not appear in person before the board of registrars or any member thereof; and granting full rule-making power to the board of registrars to carry out the purposes of this Act.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 444. To amend Title 56 by adding Section 27-A of the Code of Alabama, 1940, as amended, in relation to the closing and vacating of streets and highways.

S. 220. To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose

of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 162. To apply only in counties having a population of not less than 75,000 nor more than 90,000; to revise the requirements and salary of the Judge of any county court of general jurisdiction in such counties.

S. 171. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties.

S. 202. To provide for the establishment of a civic center in the municipality wherein is located the county seat of any county of the State having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census (any such county being hereinafter referred to in this title as "the county" or "such county"); to provide for the creation of a public corporation hereinafter called "the Authority," for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a board of directors and that its affairs shall be managed and controlled by the board of directors; to define the powers and authority of the board of directors, including the power to construct, maintain, control, operate and manage a civic center at the county seat and to borrow money and issue revenue bonds for such purpose; to prescribe the membership of the board of directors, the terms of office of the members thereof and to provide for their appointment and compensation; to prescribe the duties of the board of directors; to confer upon the Authority the power of eminent domain; to prescribe the type of buildings which may be erected as a part of such civic center and the use of such buildings; to authorize the county and any municipality therein to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the county or the municipality, as the case may be; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this Act.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Bank, Jones (F), Culver, Robertson, Falkenburg, Parker (T) and Doss:

H. J. R. 140. CONGRATULATING THE MEMBERS OF THE ALABAMA ASSOCIATION OF NURSING STUDENTS FOR THEIR EFFORTS TO RENDER SERVICE TO STATE MENTAL HOSPITALS AND THEIR PATIENTS.

WHEREAS, the health of all its citizens is a major responsibility of the State of Alabama, and

WHEREAS, the Alabama Association of Nursing Students, composed of future professional nurses, is vitally interested in the health and well being of all citizens of Alabama, and

WHEREAS, this organization is promoting a statewide project to accumulate needed items in the line of rehabilitation and hygiene for the mental hospitals of the State of Alabama, now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it extends congratulations to the Alabama Association of Nursing Students for its diligent efforts to render assistance to the mental hospitals of the State of Alabama, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Miss Tommie Faye Boles, President of the Alabama Association of Nursing Students, St. Margaret's Hospital School of Nursing.

On motion of Mr. Bank, the rules were suspended and the resolution, H. J. R. 140, was adopted.

Also:

By Mrs. Wynot:

H. J. R. 141. DECLARING THAT THE LEGISLATIVE INTENT OF ACT NO. 674, S. 91 APPROVED SEPTEMBER 4, 1951, INCLUDES THE RIGHT FOR TEACHERS IN COMPUTING NET INCOME FOR INCOME TAX PURPOSES, TO DEDUCT ALL ORDINARY AND NECESSARY EXPENSES INCURRED IN THE PURSUIT OF A MASTER'S OR SUBSEQUENT HIGHER DEGREE.

WHEREAS Act No. 674, S. 91, approved September 4, 1951, was passed by the Legislature to give individual taxpayers who are trying to improve themselves and upgrade their professions some relief from an ever rising tax burden; and

WHEREAS Act No. 674, S. 91, approved September 4, 1951, states as follows:

"Section 1. In addition to all other deductions permitted by law, there shall be allowed each individual income taxpayer a deduction, in computing net income for State income tax purposes, of all the ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income," and

WHEREAS said Act No. 674, was passed by the Legislature to encourage individual taxpayers to continue their efforts for self improvement in order that they may increase their income; and

WHEREAS the advancement and upgrading of education has long been one of the paramount goals of the Alabama Legislature; and

WHEREAS the teacher-individual taxpayer is at the front of the fight for the advancement of education in the State of Alabama; and

WHEREAS the teacher individual-taxpayer must constantly pursue additional training to keep abreast of an ever changing world in order that our children may receive the best possible education; and

WHEREAS the teacher-individual taxpayer incurs many ordinary and necessary expenses if said teacher is in the pursuit of a Master's or subsequent higher degree which not only leads to the production or collection of income for the teacher-individual taxpayer but also advances the teaching profession and allows the state to collect more income tax revenues from this increased income; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislative intent of Act No. 674, S. 91, approved September 4, 1951, includes among its provisions the right that a teacher-individual taxpayer may deduct, in computing net income for income tax purposes, all ordinary and neces-

sary expenses paid or incurred for the pursuit of a Master's or subsequent higher degree.

BE IT FURTHER RESOLVED, that the Clerk of the House send a copy of this resolution to the Commissioner and the Chief of the Income Tax Division of the State Department of Revenue.

On motion of Mrs. Wynot, the rules were suspended and the resolution, H. J. R. 141, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 197. Relating to counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census; permitting the county governing body to employ an additional deputy sheriff.

Also:

H. 210. To amend Sections 1 and 2 of Act No. 175, H. 460, Regular Session 1965, (Acts 1965, p. 246), which provides for an increase in the compensation of the coroner and deputy coroner of certain counties classified on a population basis.

Also:

H. 211. To amend Act No. 583, H. 1479, Regular Session 1971, entitled "An Act To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census," amending the title and Section 2 of such Act so as to delete from the enumeration of the officers entitled to the expense allowance thereby provided the judge of the county court and to provide for the payment of travel expenses outside the county on county business in addition to the prescribed expense allowances.

Also:

H. 221. To amend Sections 2, 3, 4 and 9 of Act No. 56, H. 377, Regular Session 1971, which Act created an inferior court for Lawrence County, by revising the jurisdiction, costs, and certain procedures of said court; and by revising the qualifications of the judge, the method of his appointment and his salary.

Also:

H. 220. Relating to Lamar County, providing further for the election of the members of the governing body of said county.

Also:

H. 195. Relating to counties having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census, to authorize the county commission of such counties to appropriate an amount not to exceed $5,200 out of the general fund for the relief of Walter L. Nelson.

Also:

H. 217. To alter and re-arrange the boundary lines of the town of Ragland, Alabama so as to include within the corporate limits of said town, all territory now within such corporate limits and all certain other territory in St. Clair County, contiguous to said town.

Also:

H. 229. To amend Act No. 1734, H. 2563, Regular Session 1971, approved September 17, 1971, which provides for juries composed of six members for trial of certain cases in the DeKalb County Court, so as to provide further for the minimum number of jurors on the list from which the six-man jury is to be struck.

Also:

H. 215. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provision of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

H. 189. To provide additional compensation for members of the Board of Registrars in all counties of this state having a population of 500,000 or more according to the most recent or any subsequent federal decennial census,

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Owens:

H. J. R. 142. CREATING AN INTERIM COMMITTEE TO STUDY INSURANCE RATES

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study insurance rates and premiums in this state. Such committee shall be composed of five members of the House of Representatives who shall be members of the House standing committee on insurance and who shall be appointed by the Speaker of the House and four members of the Senate who shall be members of the Senate standing committee on insurance and who shall be appointed by the Lieutenant Governor. The Committee shall select its own chairman and vice-chairman. Five members shall constitute a quorum.

It shall be the duty of the committee to meet as soon as practicable after the approval date of this resolution and upon the call of the chairman to study the existing programs of insurance which are available to citizens of this state, including but not limited to rates, premiums, benefits, services and all features relating to insurance coverage, with particular emphasis upon casualty line insurers furnishing liability and physical damage coverage. The committee shall further seek the advice, assistance and cooperation of the State Insurance Department and representatives of the insurance industry to the end that state government and insurers may unite and coordinate their efforts in doing everything possible to up-grade insurance benefits at reduced costs for the citizens of Alabama.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work.

Members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day on which they are actually engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for the use of the legislature. Provided, however, that in no event shall more than $10,000 be expended for the operations of said committee.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1973 Regular Session, whereupon the committee shall be dissolved.

And the resolution, H. J. R. 142, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Pruitt and Manley:

H. J. R. 143. CONGRATULATING LIVINGSTON STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS CHAMPIONSHIP.

WHEREAS the magnificent Livingston State University football team, "The Tigers" on a sunswept Saturday afternoon, December 11, 1971, brought a national championship to the Deep South and the State of Alabama once again by defeating the previously unbeaten Arkansas Tech "Wonderboys" 14—12 and thus winning the National Association of Intercollegiate Athletics Championship; and

WHEREAS this is the second National Association of Intercollegiate Championship won by a football team from the State of Alabama in the last four years; and

WHEREAS this magnificent football team displayed unusual determination and dedication throughout the season and especially through the national playoffs on their way to winning this national championship; and

WHEREAS this great achievement by the Livingston State University football team reflects credit not only upon the school and the players but also upon the State of Alabama; and

WHEREAS this great football team has greatly enhanced the State of Alabama and carried forward the great heritage and tradition that the State of Alabama has achieved throughout the history of college football; and

WHEREAS this outstanding feat was achieved under the astute and brilliant leadership of its fabulous young Head Coach, Mickey Andrews and his well talented assistant coaches; and

WHEREAS during this national championship game the Livingston State University defensive team placed itself in the NAIA record book by intercepting four passes which tied the existing record for a Champion Bowl game in its 16 year history; and

WHEREAS one of the Livingston State defensive players, middle linebacker Nels Strickland, was the Tigers' ring leader on defense with an amazing feat of 15 individual tackles, seven assists and one interception. Mr. Strickland was named the game's Outstanding Defensive Player; and

WHEREAS the State of Alabama is tremendously proud of the honor that this great Livingston State University football team has brought to the school and to the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature extends its warmest congratulations to the Livingston State University football team for winning the National Intercollegiate Athletic Championship.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the members of the team, Head Coach Mickey Andrews and the Assistant Coaches and President John E. Deloney.

On motion of Mr. Pruitt, the rules were suspended and the resolution, H. J. R. 143, was adopted.

Also:

By Mr. Stokes:

H. J. R. 144. REQUESTING THAT ACT NO. 2431, H. 2569, REGULAR SESSION 1971, APPROVED OCTOBER 1, 1971, BE NAMED THE DOWNING ACT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 2431, H. 2569, Regular Session 1971, approved October 1, 1971, be named the Downing Act.

On motion of Mr. Stokes, the rules were suspended and the resolution, H. J. R. 144, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 253. Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

H. 254. To apply only in counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties.

Also:

H. 255. To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

H. 256. To authorize and create an additional judge of the Madison County Court and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other judge of the Madison County Court, to provide for the designation of each of the two positions of the judges of the Madison County Court by number and to provide for the salary of the additional judge.

Also:

H. 262. To authorize the county boards of education in all counties having populations of not less than 26,725 nor more than 27,250, according to the last or any subsequent federal decennial census, to furnish certain supplies and services, used for educational purposes, heretofore furnished by the county commission and relieving the county commissioners of the responsibility of furnishing such supplies and services.

Also:

H. 264. Relating to counties having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to authorize the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

H. 224. Relating to all counties having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census, to provide for the regulation of parking on property of such counties around the county courthouse; to set a time limit for motor vehicles to be parked; to regulate parking of vehicles blocking driveways for unreasonable periods; to prohibit blocking of other vehicles lawfully parked and to prohibit parking in unauthorized places; and to authorize the sheriff and such persons as he may deputize, to enforce the provisions of this Act.

Also:

H. 252. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Madison County shall be made.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 357. To provide for the qualifications of the superintendent of education in any county having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Also:

H. 358. To regulate the compensation of county superintendents of education in counties having populations of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to make the provisions of this Act retroactive to September 1, 1971.

Also:

H. 364. To repeal Act No. 1389 of the 1971 Regular Session relating to counties having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

H. 213. Relating to the financing of sanitary sewers in each county having a population of 600,000 or more according to the last or any subsequent federal decennial census; to authorize any such county to sell and issue from time to time its interest-bearing warrants for the purpose of obtaining funds to finance the cost of acquiring or providing sanitary sewer facilities for the collection, transmission, treatment and disposal of sewage; to provide that such warrants shall evidence the general obligation indebtedness of any such county; to provide that such warrants may, at the discretion of the governing body of any such county, be additionally secured by a pledge or pledges of the revenues from such facilities, or the proceeds from certain taxes, or both such revenues and such taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for fiduciaries; to authorize any such county to enter into the undertakings and to assume the obligations permitted by Act No. 42 enacted at the 1971 Regular Session of the Legislature; to provide that the issuance of any warrants and the interest coupons applicable thereto or the execution of any contract pursuant to the said Act No. 42 shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof; to exempt such warrants and contracts from the provisions of Chapters 6 and 8 of Title 12 of the Code of Alabama of 1940, as amended; and to provide for the severability of the provisions of this Act.

Also:

H. 280. To repeal Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971, entitled, "An act relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 71. To provide an expense allowance for the register in equity of the circuit court and for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message From the Governor returning Senate Bill Number 71 with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 20th DAY OF JANUARY, 1972.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 71 at the request of the local delegation with the following suggested Executive Amendment:

In the caption after the word "allowance" strike out the following "for the register in equity of the circuit court and".

Also, strike Section 1 in its entirety and substitute in lieu thereof the following:

"Section 1. In any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court, the clerk of the juvenile court shall be entitled to receive an expense allowance of $2,000 per annum, payable in equal monthly installments out of the general fund of the county. Such expense allowance shall be in addition to any and all other salary, compensation or allowance payable to such clerk."

The adoption of the above suggested Executive Amendment will remove my objection to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 71 by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 71, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 71, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	St. John
Adams	Dill	Kinsey	Smith (K)
Benton	Doss	Lang	Smith (P)
Callahan	Downing	Lutz	Snell
Carnes	Edwards	McBride	Stewart
Carter	Ellis	Manley	Stokes
Casey	Erdreich	May	Straiton
Cauthen	Falkenburg	Meeks	Stubbs
Cherner	Goodwin	Mims	Therrell
Chesnut	Grainger	Naramore	Timmons
Collins	Grey (D)	O'Daniel	Turner
Connell	Harris	Parker (H)	Wallace
Coshatt	Headley	Perloff	Williams
Cottingham	Hobbie	Pruitt	Wynot
Cross	Jackson	Reid (R)	

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Which was a majority of the whole number elected to the House.

And said bill:

S. 71. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Robertson
Adams	Dill	Kinsey	St. John
Benton	Doss	Lang	Smith (K)
Boles	Downing	Lutz	Smith (P)
Callahan	Edwards	McBride	Snell
Carnes	Ellis	Manley	Stewart
Carter	Erdreich	May	Stokes
Casey	Falkenburg	Meeks	Straiton
Cauthen	Goodwin	Naramore	Stubbs
Cherner	Grainger	O'Daniel	Therrell
Chesnut	Grey (D)	Owens	Timmons
Collins	Harris	Parker (H)	Turner
Connell	Headley	Perloff	Wallace
Coshatt	Hobbie	Pruitt	Williams
Cottingham	Jackson	Reid (R)	Wynot
Cross			

—61

Which was a majority of the whole number elected to the House.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 350. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the District Attorney in such counties.

Also:

H. 349. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the Probate Judge in such counties.

Also:

H. 348. To provide expense allowance for the Court Reporter of the Thirty Second Judicial Circuit.

Also:

H. 201. To authorize and permit grocery stores to remain open on Sunday in each County in the State having a population of not less than 50,000 and not more than 52,500 inhabitants according to the last or any succeeding Federal Census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday, and further provided that said grocery store does not exceed 3,500 square feet of floor space, and to provide licensing such grocery stores by the license issuing officer of such County; authorizing the State to enjoin grocery stores remaining open on Sunday contrary to this Act.

Also:

H. 237. To provide an allowance to the Judge of the Second Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Also:

H. 279. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants, according to the last or any subsequent federal decennial census; to provide an additional allowance for all salaried deputies of such counties.

Also:

H. 293. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to authorize the county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands within the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 309. Relating to all counties having a population of not less than 12,000 nor more than 12,800 according to the most recent federal decennial census; to provide further for the pay of the coroner.

Also:

H. 311. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 6,836, nor more than 6,907.

Also:

H. 310. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, whose roads and bridges are constructed and maintained by the State Highway Department, forbidding the judge of probate to remit certain funds to the State Highway Department.

Also:

H. 319. To amend further Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis, amending such Act in relation to the powers of the board of directors of the authority relative to the handling of funds of the authority.

Also:

H. 315. To authorize the sheriff of Chilton County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

H. 317. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide compensation for members of the county hospital board.

Also:

H. 325. Relating to all counties having a population of not less than 50,000 nor more than 52,500 inhabitants according to the most recent federal decennial census; to repeal any Act relating to such counties numbered Act No. 1267, H. 1658, approved September 17, 1971, Regular Session 1971.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 169. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act" Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the highway department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Also:

By Mr. Harris:

S. 170. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 169. Standing Committee on Commerce and Transportation.

S. 170. Standing Committee on Commerce and Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Jones:

S. 198. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 198. Standing Committee on Health.

RESOLUTION

The following resolution was introduced:

By Messrs. Mims and Headley:

H. J. R. 145. COMMENDING THE SECURITY PERSONNEL OF THE STATE BOARD OF CORRECTIONS FOR AN AUTSTANDING JOB AND FOR THEIR COOPERATION WITH THE MEMBERS OF THE LEGISLATURE DURING THEIR RECENT STUDY OF THE PENAL SYSTEM.

WHEREAS the Security personnel of the State Board of Corrections has always performed their duties in a proper and efficient manner and has won the admiration of the members of the Legislature during their recent study of the penal system; and

WHEREAS through this wonderful cooperation shown by the Security personnel the Legislature gained meaningful insight into the problems of the penal system and will be better equipped to formulate programs to alleviate these difficulties; and

WHEREAS the Legislature believes that modernization of structures and procedures of our State penal system is a worthwhile, desirable goal of all State Legislatures and would be of great benefit to the citizens of Alabama; and

WHEREAS the knowledge gained by the Legislature during their recent study will give rise to programs to attempt to rehabilitate those inmates of our penal system who demonstrate their desire to contribute to our society and who make a sincere effort to conform to the morals of society; and

WHEREAS we wish to thank Commissioner L. B. Sullivan and his deputies not only for their cooperation during this recent study but for the fine job that they are doing under sometimes trying conditions; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends

Commissioner L. B. Sullivan and the Security personnel of the State Board of Corrections for the fine job they are performing and for their cooperation during the recent study of the penal system.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Commissioner L. B. Sullivan and the State Board of Corrections.

On motion of Mr. Mims, the rules were suspended and the resolution, H. J. R. 145, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 240. To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carter, the House concurred in the Senate amendment to H. B. 240, said Senate amendment being as follows:

Amend Section 2 by deleting therefrom the words: "Immediately upon the passage and approval of this Act", and substituting therefor the following:

"Immediately following the effective date of this Act";

Also, amend Section 5 by deleting it in its entirety and substituting therefor the following:

"Section 5. This Act shall become effective on March 1, 1972."

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	St. John
Barkett	Dill	Kinsey	Smith (K)
Benton	Doss	Lutz	Snell
Boles	Downing	McBride	Stewart
Callahan	Drake	Manley	Stokes
Carnes	Edwards	May	Therrell
Carter	Ellis	Meeks	Timmons
Cauthen	Erdreich	Naramore	Turner
Cherner	Falkenburg	Parker (H)	Waldrop
Chesnut	Gloor	Parker (T)	Wallace
Collins	Goodwin	Perloff	Weeks
Connell	Grainger	Pruitt	Williams
Coshatt	Grey (D)	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wynot
Cross	Jones (E)	Reynolds	

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BILLS ON THIRD READING

And the bill:

H. 413. Relating to counties having a population of not less than 22,000 nor more than 22,500 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars, board of equalization and jury commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	St. John
Adwell	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Benton	Ellis	Manley	Stokes
Boles	Erdreich	Mathews	Straiton
Burgess	Falkenburg	May	Stubbs
Callahan	Gloor	Meeks	Taylor
Carnes	Goodwin	Merrill	Therrell
Carter	Grainger	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	O'Daniel	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Collins	Headley	Parker (T)	Wallace
Connell	Hobbie	Perloff	Weeks
Coshatt	Jackson	Pruitt	Williams
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wynot
Crowe	King	Reynolds	—87

And the bill:

H. 414. To amend the title and Section 1 of Act No. 1626, H. 2235, Regular Session 1971, approved September 17, 1971, relating to a sheriff allowance for feeding prisoners in counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census so as to eliminate the sheriff fees and allowances for transporting insane and juvenile prisoners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Coshatt
Adams	Boles	Cauthen	Cottingham
Adwell	Burgess	Cherner	Cross
Bank	Callahan	Chesnut	Crowe
Barkett	Carnes	Collins	Culver
Bassett	Carter	Connell	Dill

Doss	Jackson	Naramore	Stokes
Downing	Jones (E)	O'Daniel	Straiton
Drake	Jones (F)	Owens	Stubbs
Edwards	King	Parker (H)	Taylor
Ellis	Kinsey	Parker (T)	Therrell
Erdreich	Lang	Perloff	Timmons
Falkenburg	Lutz	Pruitt	Turner
Gloor	McBride	Reed (T)	Turnham
Goodwin	McCluskey	Reid (R)	Waggoner
Grainger	McCorquodale	Reynolds	Waldrop
Gray (F)	Manley	Robertson	Wallace
Grey (D)	Mathews	St. John	Weeks
Hardin	May	Smith (K)	Williams
Harris	Meeks	Smith (P)	Wise
Headley	Merrill	Snell	Wynot
Hobbie	Mims	Stewart	—87

And the bill:

H. 415. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	St. John
Adwell	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Benton	Ellis	Manley	Stokes
Boles	Erdreich	Mathews	Straiton
Burgess	Falkenburg	May	Stubbs
Callahan	Gloor	Meeks	Taylor
Carnes	Goodwin	Merrill	Therrell
Carter	Grainger	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	O'Daniel	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Collins	Headley	Parker (T)	Wallace
Connell	Hobbie	Perloff	Weeks
Coshatt	Jackson	Pruitt	Williams
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wynot
Crowe	King	Reynolds	—87

And the bill:

H. 436. Relating to counties having a population of not less than 15,650 nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	St. John
Adwell	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Benton	Ellis	Manley	Stokes
Boles	Erdreich	Mathews	Straiton
Burgess	Falkenburg	May	Stubbs
Callahan	Gloor	Meeks	Taylor
Carnes	Goodwin	Merrill	Therrell
Carter	Grainger	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	O'Daniel	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Collins	Headley	Parker (T)	Wallace
Connell	Hobbie	Perloff	Weeks
Coshatt	Jackson	Pruitt	Williams
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wynot
Crowe	King	Reynolds	—87

S. B. 111 and S. B. 110 CARRIED OVER

The Speaker carried over S. B. 111 and S. B. 110 to the twenty-fifth legislative day.

And the bill:

H. 416. Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Drake	Hobbie
Adams	Cherner	Edwards	Jackson
Adwell	Chesnut	Ellis	Jones (E)
Bank	Collins	Erdreich	Jones (F)
Barkett	Connell	Falkenburg	King
Bassett	Coshatt	Gloor	Kinsey
Benton	Cottingham	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Burgess	Crowe	Gray (F)	McBride
Callahan	Culver	Grey (D)	McCluskey
Carnes	Dill	Hardin	McCorquodale
Carter	Doss	Harris	Manley
Casey	Downing	Headley	Mathews

May	Perloff	Snell	Turnham
Meeks	Pruitt	Stewart	Waggoner
Merrill	Reed (T)	Stokes	Waldrop
Mims	Reid (R)	Straiton	Wallace
Naramore	Reynolds	Stubbs	Weeks
O'Daniel	Robertson	Taylor	Williams
Owens	St. John	Therrell	Wise
Parker (H)	Smith (K)	Timmons	Wynot
Parker (T)	Smith (P)	Turner	—87

And the bill:

H. 378. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	St. John
Adwell	Doss	Lutz	Smith (K)
Bank	Downing	McBride	Smith (P)
Barkett	Drake	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stewart
Benton	Ellis	Manley	Stokes
Boles	Erdreich	Mathews	Straiton
Burgess	Falkenburg	May	Stubbs
Callahan	Gloor	Meeks	Taylor
Carnes	Goodwin	Merrill	Therrell
Carter	Grainger	Mims	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Grey (D)	O'Daniel	Turnham
Cherner	Hardin	Owens	Waggoner
Chesnut	Harris	Parker (H)	Waldrop
Collins	Headley	Parker (T)	Wallace
Connell	Hobbie	Perloff	Weeks
Coshatt	Jackson	Pruitt	Williams
Cottingham	Jones (E)	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wynot
Crowe	King	Reynolds	—87

And the bill:

H. 408. To apply only in counties having populations of not less than 54,500 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Callahan
Adams	Barkett	Boles	Carnes
Adwell	Bassett	Burgess	Carter

Casey	Gloor	Manley	Smith (P)
Cauthen	Goodwin	Mathews	Snell
Cherner	Grainger	May	Stewart
Chesnut	Gray (F)	Meeks	Stokes
Collins	Grey (D)	Merrill	Straiton
Connell	Hardin	Mims	Stubbs
Coshatt	Harris	Naramore	Taylor
Cottingham	Headley	O'Daniel	Therrell
Cross	Hobbie	Owens	Timmons
Crowe	Jackson	Parker (H)	Turner
Culver	Jones (E)	Parker (T)	Turnham
Dill	Jones (F)	Perloff	Waggoner
Doss	King	Pruitt	Waldrop
Downing	Kinsey	Reed (T)	Wallace
Drake	Lang	Reid (R)	Weeks
Edwards	Lutz	Reynolds	Williams
Ellis	McBride	Robertson	Wise
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Smith (K)	—87

And the bill:

H. 352. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Was taken up.

Mr. Reed (T) offered the following amendment:

The title to H. B. 352 is hereby amended by adding the words "and certain additional compensation" between the words "allowance" and "for" in the last line of the title.

Section 1 of H. B. 352 is hereby amended by adding the following sentence to the end of said Section 1, viz:

In addition the county commission shall pay to the coroner and any former coroner the sum of $15 per day for each day that he is required to attend court to testify as a witness in any case in which he performed an investigation under his duties as coroner.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cherner	Ellis	Jones (F)
Adams	Chesnut	Erdreich	King
Adwell	Collins	Falkenburg	Kinsey
Bank	Connell	Gloor	Lang
Barkett	Coshatt	Goodwin	Lutz
Bassett	Cottingham	Grainger	McBride
Benton	Cross	Gray (F)	McCluskey
Boles	Crowe	Grey (D)	McCorquodale
Burgess	Culver	Hardin	Manley
Callahan	Dill	Harris	Mathews
Carnes	Doss	Headley	May
Carter	Downing	Hobbie	Meeks
Casey	Drake	Jackson	Merrill
Cauthen	Edwards	Jones (E)	Mims

Naramore	Reid (R)	Stokes	Waggoner	
O'Daniel	Reynolds	Straiton	Waldrop	
Owens	Robertson	Stubbs	Wallace	
Parker (H)	St. John	Taylor	Weeks	
Parker (T)	Smith (K)	Therrell	Williams	
Perloff	Smith (P)	Timmons	Wise	
Pruitt	Snell	Turner	Wynot	
Reed (T)	Stewart	Turnham		—87

And the bill, as thus amended:

H. 352. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing an expense allowance and certain additional compensation for the coroner of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson	
Adams	Dill	Lang	St. John	
Adwell	Doss	Lutz	Smith (K)	
Bank	Downing	McBride	Smith (P)	
Barkett	Drake	McCluskey	Snell	
Bassett	Edwards	McCorquodale	Stewart	
Benton	Ellis	Manley	Stokes	
Boles	Erdreich	Mathews	Straiton	
Burgess	Falkenburg	May	Stubbs	
Callahan	Gloor	Meeks	Taylor	
Carnes	Goodwin	Merrill	Therrell	
Carter	Grainger	Mims	Timmons	
Casey	Gray (F)	Naramore	Turner	
Cauthen	Grey (D)	O'Daniel	Turnham	
Cherner	Hardin	Owens	Waggoner	
Chesnut	Harris	Parker (H)	Waldrop	
Collins	Headley	Parker (T)	Wallace	
Connell	Hobbie	Perloff	Weeks	
Coshatt	Jackson	Pruitt	Williams	
Cottingham	Jones (E)	Reed (T)	Wise	
Cross	Jones (F)	Reid (R)	Wynot	
Crowe	King	Reynolds		—87

And the bill:

H. 418. To apply only in counties having populations of not less than 100,000 nor more than 115,000; regulating the compensation of bailiffs serving the circuit courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Callahan
Adams	Barkett	Boles	Carnes
Adwell	Bassett	Burgess	Carter

Casey	Gloor	Manley	Smith (P)
Cauthen	Goodwin	Mathews	Snell
Cherner	Grainger	May	Stewart
Chesnut	Gray (F)	Meeks	Stokes
Collins	Grey (D)	Merrill	Straiton
Connell	Hardin	Mims	Stubbs
Coshatt	Harris	Naramore	Taylor
Cottingham	Headley	O'Daniel	Therrell
Cross	Hobbie	Owens	Timmons
Crowe	Jackson	Parker (H)	Turner
Culver	Jones (E)	Parker (T)	Turnham
Dill	Jones (F)	Perloff	Waggoner
Doss	King	Pruitt	Waldrop
Downing	Kinsey	Reed (T)	Wallace
Drake	Lang	Reid (R)	Weeks
Edwards	Lutz	Reynolds	Williams
Ellis	McBride	Robertson	Wise
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Smith (K)	—87

UNFINISHED BUSINESS

The House proceeded to the consideration of Unfinished Business.

And the bill, H. 332, as amended, with pending amendment by Mr. Boles:

Relating to Education; to require all public school principals within the State to report all acts of violence or threatened acts of violence where the aid or assistance of law enforcement officers is either required or requested, to the State Superintendent of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

Was again taken up.

And the amendment offered by Mr. Boles was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Robertson
Adams	Downing	Kinsey	Smith (K)
Benton	Drake	Lang	Smith (P)
Boles	Edwards	Lutz	Snell
Callahan	Ellis	McBride	Stokes
Carnes	Erdreich	McCluskey	Therrell
Casey	Falkenburg	McCorquodale	Timmons
Cherner	Gloor	May	Turner
Chesnut	Goodwin	Meeks	Turnham
Collins	Grainger	Mims	Waggoner
Connell	Grey (D)	Naramore	Waldrop
Coshatt	Harris	Owens	Wallace
Cottingham	Hobbie	Parker (H)	Williams
Crowe	Jackson	Reed (T)	Wise
Culver	Jones (E)	Reid (R)	Wynot
Dill	Jones (F)	Reynolds	—63

Mr. Gray (F) offered the following amendment to the bill, H. 332, as amended:

Amend H. B. 332 by striking Section 4, thereof and renumbering the remaining Sections as 4, 5, 6 and 7.

And the amendment was adopted.

Yeas 50; Nays 6.

Yeas:

Mr. Speaker	Edwards	McBride	Reid (R)	
Callahan	Ellis	McCluskey	Reynolds	
Carnes	Erdreich	McCorquodale	St. John	
Casey	Falkenburg	Manley	Smith (P)	
Cauthen	Gloor	May	Stewart	
Cherner	Goodwin	Meeks	Turner	
Chesnut	Grainger	Mims	Turnham	
Collins	Gray (F)	O'Daniel	Waggoner	
Coshatt	Jackson	Owens	Waldrop	
Cottingham	Jones (E)	Parker (T)	Wallace	
Dill	King	Perloff	Weeks	
Downing	Lang	Reed (T)	Wynot	
Drake	Lutz			—50

Nays:

Messrs.:	Cross	Naramore	Timmons	
Carter	Gafford	Robertson		—6

MOTION TO CARRY OVER TABLED

Mr. St. John moved that the bill, H. 332, be carried over to the twenty-fifth legislative day.

On motion of Mr. Boles, the motion of Mr. St. John was tabled.

Yeas 43; Nays 20.

Yeas:

Mr. Speaker	Crowe	Jackson	Snell	
Adams	Dill	Jones (E)	Stewart	
Barkett	Downing	McBride	Stokes	
Boles	Drake	McCorquodale	Timmons	
Callahan	Ellis	May	Turner	
Casey	Gafford	Naramore	Turnham	
Cherner	Gloor	O'Daniel	Waggoner	
Collins	Goodwin	Owens	Wallace	
Connell	Grey (D)	Parker (H)	Weeks	
Cottingham	Harris	Reid (R)	Williams	
Cross	Hobbie	Robertson		—43

Nays:

Messrs.:	Grainger	Lutz	Reynolds	
Carnes	Gray (F)	McCluskey	St. John	
Carter	King	Manley	Smith (K)	
Cauthen	Kinsey	Perloff	Waldrop	
Chesnut	Lang	Reed (T)	Wynot	
Coshatt				—20

Mr. Carnes offered the following amendment to the bill, H. 332, as amended:

Amend House Bill 332 in Section 1, as amended, by inserting after the words "State Board of Education" and before the words "as provided by this Act." the following:

"and the Superintendent of Education of the school system in which the said public school is included".

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Reid (R)
Adams	Crowe	King	Reynolds
Bank	Dill	Lang	Robertson
Barkett	Doss	Lutz	St. John
Benton	Downing	McBride	Stokes
Boles	Drake	McCluskey	Taylor
Callahan	Ellis	McCorquodale	Therrell
Carnes	Erdreich	Meeks	Timmons
Carter	Gloor	Mims	Turner
Casey	Goodwin	Naramore	Turnham
Cauthen	Grainger	O'Daniel	Waggoner
Chesnut	Grey (D)	Owens	Wallace
Collins	Harris	Parker (H)	Weeks
Connell	Hobbie	Parker (T)	Williams
Coshatt	Jackson	Perloff	Wynot
Cottingham			

—61

Mr. St. John offered the following amendment to the bill, H. 332, as amended:

Amend H. 332 by changing the term "State Superintendent of Education", wherever it appears in the synopsis and bill, to read "City or County Superintendent of Education having jurisdiction".

AMENDMENT TABLED

On motion of Mr. Boles, the amendment offered by Mr. St. John was tabled.

Yeas 41; Nays 25.

Yeas:

Mr. Speaker	Crowe	Jackson	Robertson
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Lang	Snell
Boles	Drake	McBride	Stubbs
Casey	Ellis	McCorquodale	Timmons
Cherner	Gafford	May	Turner
Chesnut	Gloor	Naramore	Turnham
Collins	Goodwin	O'Daniel	Waggoner
Connell	Harris	Owens	Wallace
Cottingham	Hobbie	Parker (H)	Weeks
Cross			

—41

Nays:

Messrs.:	Erdreich	Meeks	Smith (P)
Adams	Grainger	Perloff	Stewart
Benton	Gray (F)	Reed (T)	Stokes
Carnes	King	Reid (R)	Therrell
Carter	Lutz	Reynolds	Waldrop
Coshatt	McCluskey	St. John	Wynot
Dill	Manley		

—25

And the bill, H. 332, as thus amended:

"Relating to Education; to require all public school principals within the State to report all acts of violence or other acts where aid or assistance of law enforcement officers is either required or requested, to the State Board of Education; to provide the form of such reports; and to provide penalties for violation of this Act.

Was read a third time at length, and lost, lacking a two-thirds vote.

Yeas 45; Nays 29.

Yeas:

Mr. Speaker	Crowe	Hobbie	Smith (K)	
Agee	Doss	Jackson	Snell	
Bank	Downing	Jones (E)	Stewart	
Barkett	Drake	McCorquodale	Stubbs	
Boles	Ellis	May	Taylor	
Callahan	Erdreich	Meeks	Timmons	
Casey	Gafford	Naramore	Turner	
Cherner	Gloor	O'Daniel	Turnham	
Collins	Goodwin	Owens	Waggoner	
Connell	Harris	Parker (H)	Wallace	
Cottingham	Headley	Robertson	Weeks	
Cross				—45

Nays:

Messrs.:	Grainger	Manley	St. John	
Adams	Gray (F)	Mims	Smith (P)	
Benton	Grey (D)	Parker (T)	Stokes	
Carnes	King	Perloff	Therrell	
Carter	Kinsey	Reed (T)	Waldrop	
Cauthen	Lang	Reid (R)	Wise	
Coshatt	Lutz	Reynolds	Wynot	
Dill	McCluskey			—29

And the bill:

H. 190. To amend Act No. 1945, H. 584, of the Regular Session of 1971, which authorizes the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 6.

Yeas:

Mr. Speaker	Carter	Dill	Gray (F)
Adams	Cauthen	Downing	Grey (D)
Bank	Chesnut	Drake	Headley
Barkett	Collins	Edwards	Hobbie
Benton	Connell	Falkenburg	Jackson
Boles	Coshatt	Gloor	Jones (E)
Callahan	Cottingham	Goodwin	Jones (F)
Carnes	Cross	Grainger	King

Kinsey	Meeks	Reid (R)	Taylor	
Lang	Mims	Reynolds	Turner	
Lutz	Naramore	Robertson	Turnham	
McBride	O'Daniel	St. John	Waggoner	
McCluskey	Owens	Smith (K)	Wallace	
McCorquodale	Parker (T)	Smith (P)	Weeks	
Manley	Perloff	Snell	Williams	
Mathews	Pruitt	Stewart	Wise	
May	Reed (T)	Stubbs	Wynot	
				—68

Nays:

Messrs.:	Doss	Gafford	Timmons	
Cherner	Erdreich	Parker (H)		—6

And the bill:

H. 166. To provide further for unemployment benefits; to authorize and require payment of unemployment benefits to an employee of any business which ceases or curtails operations because of pollution.

Was taken up.

UNANIMOUS CONSENT TO CO-SPONSOR

At their request, unanimous consent was granted for Messrs. Robertson, Doss and Naramore to be added as co-sponsors to the bill, H. 166.

MOTION TO CARRY-OVER TABLED

Mr. McCorquodale moved that the bill, H. 166, be carried over to the twenty-sixth legislative day.

On motion of Mr. Boles, the motion to carry-over was tabled.

Yeas 36; Nays 32.

Yeas:

Messrs.:	Edwards	Kinsey	Stokes	
Bank	Ellis	Lang	Stubbs	
Benton	Falkenburg	Naramore	Therrell	
Boles	Goodwin	Parker (H)	Timmons	
Carnes	Gray (F)	Perloff	Turnham	
Collins	Grey (D)	Reid (R)	Waldrop	
Cross	Harris	Reynolds	Wallace	
Crowe	Jones (E)	Robertson	Williams	
Culver	Jones (F)	Smith (K)	Wynot	
Downing				—36

Nays:

Messrs.:	Connell	Hobbie	Owens	
Adams	Coshatt	Jackson	Parker (T)	
Barkett	Cottingham	King	Pruitt	
Callahan	Dill	McBride	St. John	
Carter	Drake	McCluskey	Snell	
Casey	Gafford	McCorquodale	Stewart	
Cauthen	Gloor	Manley	Turner	
Cherner	Grainger	Meeks	Wise	
Chesnut				—32

And the bill was read a third time at length and lost, lacking a two-thirds vote.

Yeas 39; Nays 32.

Yeas:

Messrs.:	Edwards	Lang	Stokes	
Bank	Erdreich	Naramore	Stubbs	
Benton	Falkenburg	Owens	Taylor	
Boles	Gloor	Parker (H)	Therrell	
Carnes	Goodwin	Perloff	Timmons	
Casey	Gray (F)	Reid (R)	Turnham	
Crowe	Grey (D)	Reynolds	Waldrop	
Culver	Jones (E)	Robertson	Wallace	
Downing	Jones (F)	Smith (K)	Williams	
Drake	Kinsey	Stewart	Wynot	
				—39

Nays:

Messrs.:	Connell	Jackson	Mims	
Adams	Coshatt	King	Parker (T)	
Barkett	Cottingham	Lutz	Pruitt	
Callahan	Cross	McBride	St. John	
Carter	Dill	McCluskey	Smith (P)	
Cauthen	Gafford	McCorquodale	Snell	
Cherner	Grainger	Manley	Turner	
Chesnut	Hobbie	Meeks	Wise	
Collins				—32

MOTION TO RECESS LOST

The motion of Mr. Waldrop that the House recess until 3 o'clock p. m., was lost.

Yeas 31; Nays 42.

Yeas:

Mr. Speaker	Edwards	McCorquodale	Stokes	
Carnes	Goodwin	Naramore	Stubbs	
Casey	Grainger	O'Daniel	Turner	
Chesnut	Grey (D)	Parker (H)	Turnham	
Collins	Hobbie	Reid (R)	Waldrop	
Connell	Jackson	St. John	Wise	
Dill	Lang	Smith (K)	Wynot	
Downing	Lutz	Stewart		—31

Nays:

Messrs.:	Crowe	Jones (F)	Reynolds	
Adams	Doss	Kinsey	Robertson	
Adwell	Drake	McBride	Smith (P)	
Barkett	Ellis	McCluskey	Snell	
Benton	Erdreich	Manley	Taylor	
Boles	Falkenburg	May	Therrell	
Carter	Gafford	Meeks	Timmons	
Cauthen	Gloor	Mims	Waggoner	
Cherner	Gray (F)	Owens	Wallace	
Coshatt	Harris	Perloff	Williams	
Cross	Jones (E)	Reed (T)		—42

RECESS

On motion of Mr. Lyons, the House recessed until 3:15 o'clock this afternoon.

Yeas 42; Nays 35.

Yeas:

Mr. Speaker	Goodwin	McCorquodale	Stubbs
Agee	Grainger	Naramore	Timmons
Boles	Grey (D)	O'Daniel	Turner
Carnes	Headley	Parker (H)	Turnham
Casey	Hobbie	Parker (T)	Waldrop
Chesnut	Jackson	Reid (R)	Wallace
Collins	Jones (E)	Reynolds	Weeks
Connell	Jones (F)	Smith (K)	Williams
Cottingham	King	Stewart	Wise
Dill	Lang	Stokes	Wynot
Downing	Lutz		—42

Nays:

Messrs.:	Coshatt	Gray (F)	Perloff
Adams	Cross	Harris	Pruitt
Adwell	Doss	Kinsey	Robertson
Barkett	Drake	McBride	Smith (P)
Benton	Ellis	Manley	Snell
Callahan	Erdreich	May	Straiton
Carter	Falkenburg	Meeks	Taylor
Cauthen	Gafford	Nettles	Therrell
Cherner	Gloor	Owens	Waggoner
			—35

HOUSE RECONVENED

The hour of 3:15 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 116. To make additional appropriations to the Department of Public Safety.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 116, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make additional conditional appropriations to the Department of Public Safety.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other appropriations heretofore made to the Department of Public Safety there is hereby appropriated from the state general fund for each of the fiscal years ending September 30, 1972 and September 30, 1973, the sum of $1,250,000.

Section 2. The above appropriations are made subject to the following terms and conditions, viz:

(a) Said appropriations are conditional upon the condition of the state general fund and shall be paid only with the approval of the Governor.

(b) The first expenditures from said appropriation shall be used to effect an additional one-step pay raise for all state troopers, state trooper corporals, sergeants, lieutenants, captains, majors, radio operators and communication workers employed by the Department of Public Safety. Said one-step additional pay raise shall specifically be in addition to any merit system pay raises due the said state troopers, state trooper officers, radio operators and communication workers employed by the Department of Public Safety.

(c) The remainder of said appropriation shall be used for salaries, other expenses, equipment purchases and automotive equipment purchases.

(d) Any additional state troopers, radio operators and communication workers employed by the Department of Public Safety employed with the proceeds of this money shall be employed without regard to race, color, or creed.

(e) None of the appropriations herein made, or heretofore made in the general fund appropriation act for the fiscal years ending September 30, 1972 and September 30, 1973 may be used to pay salaries or expenses of any state trooper, radio operator and communication worker employed by the Department of Public Safety outside the boundaries of the State of Alabama except in the performance of official and lawful state business.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Cross	Headley	Mims
Bank	Crowe	Hobbie	Naramore
Barkett	Culver	Jackson	O'Daniel
Boles	Dill	Jones (E)	Owens
Callahan	Doss	Jones (F)	Parker (H)
Carnes	Downing	King	Parker (T)
Carter	Drake	Lang	Perloff
Casey	Edwards	Lutz	Pruitt
Cauthen	Ellis	McBride	Reid (R)
Cherner	Erdreich	McCluskey	Robertson
Chesnut	Falkenburg	McCorquodale	St. John
Collins	Goodwin	Manley	Smith (P)
Connell	Grainger	Mathews	Snell
Coshatt	Grey (D)	May	Stewart
Cottingham	Harris	Meeks	Stokes

Stubbs	Turner	Wallace	Wise	
Taylor	Waggoner	Weeks	Wood	
Therrell	Waldrop	Williams	Wynot	
Timmons				—73

Nays:

Messrs.:	Gafford	Gray (F)	Reed (T)	—3

And said bill:

H. 116. To make additional conditional appropriations to the Department of Public Safety.

As amended by the Senate amendment, was again read at length and passed.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Doss	Lutz	St. John	
Bank	Downing	McBride	Smith (P)	
Barkett	Drake	McCluskey	Snell	
Boles	Edwards	McCorquodale	Stewart	
Callahan	Ellis	Manley	Stokes	
Carnes	Erdreich	Mathews	Stubbs	
Carter	Falkenburg	May	Taylor	
Casey	Goodwin	Meeks	Therrell	
Cauthen	Grainger	Mims	Timmons	
Cherner	Grey (D)	Naramore	Turner	
Chesnut	Harris	O'Daniel	Waggoner	
Collins	Headley	Owens	Waldrop	
Connell	Hobbie	Parker (H)	Wallace	
Coshatt	Jackson	Parker (T)	Weeks	
Cottingham	Jones (E)	Perloff	Williams	
Cross	Jones (F)	Pruitt	Wise	
Crowe	King	Reid (R)	Wood	
Culver	Lang	Robertson	Wynot	
Dill				—73

Nays:

Messrs.:	Gafford	Gray (F)	Reed (T)	—3

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jones (F):

H. R. 146. CREATING A HOUSE COMMITTEE TO STUDY THE ESTABLISHMENT OF A UNICAMERAL LEGISLATURE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That there is hereby created a House Interim Committee to study the establishment of a unicameral legislature in this state. Such committee shall be composed of three members of the House of Representatives appointed by the Speaker of the House.

It shall be the duty of the committee to meet as soon as practicable after the approval of this resolution and to study all problems connected with the establishment of a unicameral legislature in this state.

Upon the request of the committee the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work.

Members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are actually engaged in committee work. Such pay and expenses shall be paid out of any funds appropriated for the use of the House of Representatives. Provided, however, that in no event shall more than $2,000 be expended for the operations of said committee.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1973 Regular Session, whereupon the committee shall be dissolved.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Jones (F) to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. R. 146, and adopt the resolution, was lost.

Yeas 18; Nays 46.

Yeas:

Messrs.:	Doss	King	Smith (P)	
Boles	Gloor	McBride	Therrell	
Callahan	Grainger	O'Daniel	Turner	
Casey	Jones (E)	Robertson	Waldrop	
Crowe	Jones (F)	St. John		—18

Nays:

Mr. Speaker	Ellis	McCorquodale	Smith (K)	
Adams	Falkenburg	Mathews	Snell	
Burgess	Gafford	Meeks	Stokes	
Carnes	Goodwin	Naramore	Straiton	
Cauthen	Gray (F)	Owens	Stubbs	
Cherner	Grey (D)	Parker (H)	Timmons	
Chesnut	Headley	Parker (T)	Wallace	
Collins	Hobbie	Perloff	Weeks	
Connell	Jackson	Pruitt	Wise	
Coshatt	Lang	Reed (T)	Wood	
Dill	Lutz	Reid (R)	Wynot	
Drake	McCluskey			—46

Also:

By Messrs. Collins, Bank, Robertson and Parker (T):

H. J. R. 147. COMMENDING REPRESENTATIVE JOHN L. CULVER

WHEREAS Representative John L. Culver of Tuscaloosa, who is currently serving his second term in the Legislature of Alabama, has made known his intention to offer his services as tax assessor of Tuscaloosa County; and

WHEREAS Mr. Culver has worked tirelessly and faithfully during his terms of office for the best interests of his constituents, and has been most effective in sponsoring progressive legislation, not only for Tuscaloosa County, but for the entire State; and

WHEREAS Mr. Culver is a gentleman of wide and varied interests who is knowledgeable in particular areas which will make his services of incalculable value in the position he intends to seek; and

WHEREAS Mr. Culver's unquestioned integrity, forceful efforts and friendly manner have won for him the respect and warm friendship of each member of this body who will sorely miss his presence; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Mr. Culver for his outstanding services in the Legislature, and wish for him all happiness and success in his future endeavors.

On motion of Mr. Collins, the rules were suspended and the resolution H. J. R. 147, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 294. (With Amendment): To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Banking, said Committee amendment being as follows:

Amend House Bill 294 by renumbering the present section 2 to be Section 3 and insert a new section to be numbered Section 2 to read as follows:

"Section 2. The words "home solicitation sale", "sale of property or services", "credit sale of goods or services", "goods" or "services", or similar terms, wherever used in this Act shall not include the sale of insurance by insurance companies or their representatives licensed by the Superintendent of Insurance."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Ellis	Jones (E)
Adams	Collins	Erdreich	Jones (F)
Adwell	Connell	Falkenburg	King
Bank	Coshatt	Gafford	Lutz
Barkett	Cottingham	Gloor	McBride
Boles	Cross	Goodwin	McCluskey
Burgess	Crowe	Grainger	McCorquodale
Callahan	Culver	Gray (F)	Manley
Carnes	Dill	Grey (D)	Mathews
Carter	Downing	Harris	May
Casey	Drake	Hobbie	Meeks
Cherner	Edwards	Jackson	Mims

Naramore	Robertson	Straiton	Wallace
Parker (H)	St. John	Therrell	Weeks
Parker (T)	Smith (K)	Timmons	Williams
Perloff	Smith (P)	Turner	Wise
Pruitt	Snell	Waggoner	Wood
Reed (T)	Stewart	Waldrop	Wynot
Reid (R)	Stokes		

—74

Mr. Stewart offered the following amendment to the bill, H. 294, as amended:

House Bill 294 is amended in Section 1 subsection (b) by deleting "(1%)" wherever it appears and inserting in lieu therefore "(1.5%).

AMENDMENT TABLED

On motion of Mr. Cherner, the amendment offered by Mr. Stewart was tabled.

Yeas 43; Nays 32.

Yeas:

Messrs.:	Cottingham	Lang	Smith (P)
Adams	Dill	Lutz	Snell
Adwell	Downing	McBride	Stubbs
Bank	Ellis	McCluskey	Therrell
Barkett	Falkenburg	Mathews	Timmons
Callahan	Gafford	Owens	Turnham
Casey	Gloor	Parker (H)	Waggoner
Cauthen	Harris	Parker (T)	Wallace
Cherner	Jackson	Perloff	Weeks
Collins	Jones (F)	Pruitt	Wise
Connell	King	St. John	Wood

—43

Nays:

Mr. Speaker	Edwards	McCorquodale	Reynolds
Burgess	Erdreich	Manley	Robertson
Carnes	Goodwin	May	Smith (K)
Carter	Grainger	Mims	Stewart
Coshatt	Gray (F)	Naramore	Stokes
Cross	Grey (D)	O'Daniel	Turner
Doss	Headley	Reed (T)	Waldrop
Drake	Hobbie	Reid (R)	Wynot

—32

Mr. Snell offered the following substitute to the bill H. 294, as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 2052 of the 1971 regular session of the legislature of Alabama relating to maximum finance charges for loans and credit sales.

Be It Enacted by the Legislature of Alabama:

Section 1. Amend Section 2 of Act No. 2052 of the 1971 regular session of the Alabama legislature so as to read as follows:

"Section 2. The maximum finance charge for any loan or forbearance and for any credit sale (except under open end credit plans) may equal but may not exceed the greater of the following:

"(a) (1) The total of:

"(i) $15 per $100 per year for the first $500 of the original principal amount of the loan or amount financed;

"(ii) $10 per $100 per year for that portion of the original principal amount of the loan or original amount financed exceeding $500 and not exceeding $1,000; and

"(iii) $8 per $100 per year for that portion of the original principal amount of the loan or original amount financed exceeding $1,000, and not exceeding $2,000;

"(a) (2) If the creditor is a bank organized under the laws of this state or of the United States on direct loans, the total of:

"(i) $10 per $100 per year for the first $1,000 of the original principal amount of the loan or amount financed;

"(ii) $8 per $100 per year for that portion of the original principal amount of the loan or original amount financed exceeding $1,000 and not exceeding $2,000; or

"(iii) In lieu of the amounts authorized by (i) and (ii) a bank may contract for and receive in connection with a single payment direct loan a minimum charge of $4.00 if the original principal amount of the loan or amount financed does not exceed $25 and $6.00 if the original principal amount of the loan or amount financed exceeds $25;

"Provided, however, any bank now or hereafter organized under the laws of this state may charge interest at the maximum rate permitted by law to banks organized under the laws of the United States having their principal place of business in Alabama;

"or,

"(b) If the original principal amount of the loan or original amount financed exceeds $2,000, $8 per $100 per year of the original principal amount of the loan or amount financed.

"The maximum finance charge under paragraphs (a) and (b) shall be determined by computing the maximum rates authorized by paragraphs (a) and (b) on the original principal amount of the loan or original amount financed for the full term of the contract without regard to scheduled payments and the maximum finance charge so determined (or any lesser amount) may be added to the original principal amount of the loan or original amount financed.

"If the debt is created under an open end credit plan, the maximum finance charge in connection therewith shall be one and one-half (1½%) per cent per month on the unpaid balance from time to time thereunder.

"A creditor, in connection with any credit sale, other than a sale made under an open end credit plan, may contract for and receive a minimum finance charge not in excess of the following amounts: $4.00 on any credit sale in which the amount financed is $25.00 or less and

$6.00 on any credit sale in which the amount financed is more than $25.00. On an open end credit plan, if there is an unpaid balance on the date as of which the finance charge is applied, a creditor may contract for and receive a minimum finance charge in an amount computed at a rate not exceeding $.50 per month."

Section 2. "The words "home solicitation sale", "sale of property or services", "credit sale of goods or services", "goods" or "services", or similar terms, wherever used in this Act shall not include the sale of insurance by insurance companies or their representatives licensed by the Superintendent of Insurance."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

MOTION TO ADJOURN LOST

The motion of Mr. Crowe that the House adjourn until 3:00 o'clock p. m., Thursday, February 3, 1972, was lost.

Yeas 16; Nays 56.

Yeas:

Messrs.:	Doss	Lang	Reed (T)
Boles	Falkenburg	Manley	Robertson
Carter	Jones (E)	May	Stewart
Cauthen	Jones (F)	Parker (H)	Straiton
Crowe			—16

Nays:

Mr. Speaker	Downing	McCluskey	Stokes
Adams	Drake	McCorquodale	Stubbs
Adwell	Edwards	Mims	Taylor
Bank	Ellis	Naramore	Therrell
Burgess	Gafford	O'Daniel	Timmons
Carnes	Gloor	Owens	Turner
Casey	Grainger	Parker (T)	Turnham
Cherner	Grey (D)	Perloff	Waggoner
Chesnut	Harris	Pruitt	Waldrop
Collins	Headley	Reid (R)	Wallace
Coshatt	Jackson	St. John	Weeks
Cottingham	King	Smith (K)	Williams
Culver	Lutz	Smith (P)	Wise
Dill	McBride	Snell	Wynot
			—56

H. 294 RESUMED

The question then, was on the adoption of the substitute to the bill, H. 294, offered by Mr. Snell, and the substitute was adopted.

Yeas 68; Nays 9.

Yeas:

Messrs.:	Barkett	Casey	Coshatt
Adams	Boles	Cherner	Cottingham
Adwell	Burgess	Chesnut	Cross
Agee	Callahan	Collins	Culver
Bank	Carter	Connell	Dill

Downing	Jones (F)	O'Daniel	Stubbs	
Drake	King	Owens	Taylor	
Edwards	Lang	Parker (T)	Therrell	
Ellis	Lutz	Perloff	Timmons	
Falkenburg	McBride	Pruitt	Turner	
Gafford	McCluskey	Reid (R)	Turnham	
Gloor	McCorquodale	Reynolds	Waggoner	
Grainger	Manley	St. John	Wallace	
Grey (D)	Mathews	Smith (P)	Weeks	
Harris	May	Snell	Williams	
Headley	Meeks	Stokes	Wise	
Hobbie	Mims	Straiton	Wood	
Jackson				—68

Nays:

Messrs.:	Gray (F)	Smith (K)	Waldrop	
Carnes	Naramore	Stewart	Wynot	
Crowe	Robertson			—9

UNANIMOUS CONSENT

At the request of Messrs. Robertson, Waldrop, Carnes and Doss, unanimous consent was granted to have their names removed as co-authors of the bill, H. 294.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 116. To make additional conditional appropriations to the Department of Public Safety.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 240. To provide for the election of a seven member Board of Education for the City of Athens, Alabama, and to provide for the terms

of said members, to provide for the repeal of all laws or parts of laws in conflict herewith, and to provide an effective date for the act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 294 RESUMED

Mr. Stokes offered the following amendment to the bill, H. 294, as amended:

The title to H. B. 294 is hereby amended by deleting the period at the end of the title and by adding the following words thereto: and to increase the amount of debtors earnings subject to garnishment under certain conditions.

H. B. 294, as substituted, is hereby amended by inserting a new section 3 and by renumbering the present section 3 and all succeeding sections consecutively, viz:

Section 3. Section 11 of said Act No. 2052, S. 122, approved October 1, 1971, 1971 Regular Session of the Alabama Legislature is hereby amended to read as follows:

"Section 11. Prior to entry of judgment the creditor may not attach unpaid earnings of the debtor by garnishment. The garnishment procedure after judgment shall be as provided in Title 7, Section 630 and Sections 995, et seq., except that with respect to consumer loans, consumer credit sales and consumer leases, the amount subject to garnishment shall not exceed the lesser of (a) twenty percent (20%) of his disposable earnings for that week, or (b) the amount by which his disposable earnings for that week exceed thirty times the federal minimum hourly wage in effect when payable. 'Disposable earnings' means that part of the earnings of an individual remaining after deduction of amounts required by law to be withheld and disposable earnings shall not include periodic payments pursuant to a pension, retirement or disability program."

And the amendment was adopted.

Yeas 58; Nays 6.

Yeas:

Messrs.:	Carter	Coshatt	Downing
Adams	Casey	Cottingham	Ellis
Bank	Cauthen	Cross	Falkenburg
Barkett	Cherner	Culver	Gafford
Callahan	Chesnut	Dill	Gloor
Carnes	Connell	Doss	Grainger

Grey (D)	Manley	Reynolds	Timmons	
Harris	May	Robertson	Turner	
Jones (F)	Mims	St. John	Turnham	
King	Naramore	Smith (K)	Waldrop	
Lang	O'Daniel	Smith (P)	Wallace	
Lutz	Owens	Snell	Weeks	
McBride	Parker (T)	Stokes	Wise	
McCluskey	Perloff	Straiton	Wynot	
McCorquodale	Pruitt	Therrell		—58

Nays:

Messrs.:	Burgess	Gray (F)	Stubbs	
Adwell	Collins	Meeks		—6

UNANIMOUS CONSENT

At the request of Messrs. Crowe and Burgess, unanimous consent was granted to have their names removed as co-authors of the bill, H. 294.

MOTION TO ADJOURN LOST

The motion of Mr. Waldrop that the House adjourn until 2 o'clock p. m., Thursday, February 3, 1972, was lost.

Yeas 9; Nays 67.

Yeas:

Messrs.:	Falkenburg	Stewart	Waldrop	
Carnes	Parker (H)	Straiton	Wynot	
Carter	Robertson			—9

Nays:

Mr. Speaker	Dill	Lang	Smith (K)	
Adams	Downing	Lutz	Smith (P)	
Adwell	Drake	McBride	Snell	
Bank	Edwards	McCluskey	Stokes	
Barkett	Ellis	McCorquodale	Stubbs	
Burgess	Gafford	Manley	Taylor	
Callahan	Gloor	May	Therrell	
Casey	Grainger	Meeks	Timmons	
Cauthen	Gray (F)	Mims	Turner	
Cherner	Grey (D)	Naramore	Turnham	
Chesnut	Harris	O'Daniel	Waggoner	
Collins	Headley	Owens	Wallace	
Connell	Hobbie	Parker (T)	Weeks	
Coshatt	Jackson	Perloff	Williams	
Cottingham	Jones (F)	Pruitt	Wise	
Cross	King	Reid (R)	Wood	
Culver	Kinsey	St. John		—67

MOTION TO CARRY-OVER LOST

The motion of Mr. Robertson that the bill, H. 294, be carried over to the twenty-fifth legislative day was lost.

Yeas 7; Nays 63.

Yeas:

Messrs.:	Carnes	Smith (K)	Waldrop	
Boles	Robertson	Stewart	Wynot	—7

Nays:

Mr. Speaker	Cross	Lutz	St. John	
Adams	Dill	McBride	Smith (P)	
Adwell	Downing	McCluskey	Snell	
Bank	Drake	McCorquodale	Stokes	
Barkett	Edwards	Manley	Straiton	
Benton	Ellis	Mathews	Stubbs	
Callahan	Gafford	May	Therrell	
Carter	Gloor	Meeks	Timmons	
Casey	Grainger	Naramore	Turner	
Cauthen	Gray (F)	O'Daniel	Turnham	
Cherner	Grey (D)	Owens	Waggoner	
Chesnut	Headley	Parker (T)	Weeks	
Collins	Jackson	Perloff	Williams	
Connell	King	Pruitt	Wise	
Coshatt	Kinsey	Reed (T)	Wood	
Cottingham	Lang	Reid (R)		—63

UNANIMOUS CONSENT

At the request of Mr. Stewart, unanimous consent was granted to have his name removed as author of the bill, H. 294.

H. 294 RESUMED

The question, then, was on the passage of the bill, H. 294, as amended.

And the bill, H. 294, as amended:

To amend Section 2 of Act No. 2052 of the 1971 regular session of the legislature of Alabama relating to maximum finance charges for loans and credit sales and to increase the amount of a debtors earnings subject to garnishment under certain conditions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 12.

Yeas:

Messrs.:	Collins	Gafford	McBride
Adams	Connell	Gloor	McCluskey
Adwell	Coshatt	Grainger	McCorquodale
Bank	Cross	Grey (D)	Manley
Barkett	Culver	Harris	Mathews
Callahan	Dill	Headley	May
Carter	Downing	Jackson	Meeks
Casey	Drake	Jones (F)	Mims
Cauthen	Edwards	King	O'Daniel
Cherner	Ellis	Lang	Owens
Chesnut	Falkenburg	Lutz	Parker (T)

Perloff	St. John	Stubbs	Waggoner	
Pruitt	Smith (P)	Therrell	Weeks	
Reed (T)	Snell	Turner	Williams	
Reid (R)	Stokes	Turnham	Wise	
Reynolds				—60

Nays:

Messrs.:	Naramore	Smith (K)	Timmons	
Carnes	Parker (H)	Stewart	Waldrop	
Crowe	Robertson	Straiton	Wynot	
Gray (F)				—12

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Vacca:

S. J. R. 63. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that S. J. R. 107 (Act Number 2227) of the 1971 Regular Session of the Legislature, creating and establishing an agency known as the Birmingham National Geological Monument Commission, be and the same is hereby repealed.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 63, set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

And the bill:

H. 403. (With Amendment): To amend further Sections 304, 305, 306, 307, 308, 309, 310, 311, and 313 of Article 3, Chapter 10 of Title 28 of the Code of Alabama of 1940, as heretofore amended, relating to non-profit corporations for the establishment of plans for hospital and medical services, and to provide for the continuation of the existence of certain corporations.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Insurance, said Committee amendment being as follows:

Amend the synopsis of H. B. 403 to read as follows:

"SYNOPSIS: To change the controlling body of the non-profit health facilities and reorganization of the Board of Directors."

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reid (R)
Bank	Drake	Lang	Robertson
Barkett	Edwards	Lutz	St. John
Boles	Ellis	McBride	Smith (K)
Burgess	Erdreich	McCluskey	Smith (P)
Callahan	Falkenburg	McCorquodale	Stokes
Carnes	Gafford	Manley	Straiton
Carter	Grainger	May	Stubbs
Cherner	Gray (F)	Meeks	Therrell
Chesnut	Grey (D)	Mims	Timmons
Collins	Harris	Naramore	Turner
Connell	Headley	O'Daniel	Waggoner
Coshatt	Hobbie	Owens	Waldrop
Cottingham	Jackson	Perloff	Wallace
Cross	Jones (E)	Pruitt	Williams
Culver	Jones (F)	Reed (T)	Wynot

—64

And the bill, H. 403, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 2.

Yeas:

Mr. Speaker	Dill	Lutz	St. John
Adams	Drake	McBride	Smith (K)
Adwell	Edwards	McCluskey	Smith (P)
Bank	Ellis	McCorquodale	Snell
Barkett	Erdreich	Manley	Stokes
Burgess	Gafford	May	Straiton
Callahan	Grainger	Meeks	Stubbs
Carnes	Gray (F)	Mims	Therrell
Carter	Grey (D)	Naramore	Timmons
Casey	Harris	O'Daniel	Turner
Cherner	Headley	Owens	Waggoner
Chesnut	Hobbie	Perloff	Wallace
Collins	Jackson	Pruitt	Weeks
Connell	Jones (F)	Reed (T)	Williams
Cottingham	King	Reid (R)	Wood
Cross	Lang	Robertson	Wynot
Culver			

—65

Nays: Messrs. Cauthen and Stewart. —2

MOTION TO RECONSIDER H. 166 LOST

Having voted with the prevailing side, Mr. Wise moved to reconsider the vote by which the bill, H. 166, was lost, and the motion to reconsider was lost.

Yeas 30; Nays 37.

Yeas:

Messrs.:	Burgess	Ellis	Jones (E)
Adwell	Collins	Grey (D)	Jones (F)
Bank	Culver	Headley	Mims
Boles	Doss	Hobbie	Perloff

Reed (T)	Stokes	Therrell	Williams	
Reid (R)	Straiton	Timmons	Wise	
Robertson	Stubbs	Wallace	Wood	
Smith (K)	Taylor	Weeks		—30

Nays:

Mr. Speaker	Coshatt	Jackson	Naramore	
Adams	Cottingham	King	Pruitt	
Callahan	Dill	Lutz	St. John	
Carnes	Drake	McBride	Smith (P)	
Carter	Edwards	McCluskey	Snell	
Casey	Gafford	McCorquodale	Stewart	
Cauthen	Gloor	Manley	Turner	
Cherner	Grainger	May	Waldrop	
Chesnut	Gray (F)	Meeks	Wynot	
Connell				—37

BILLS ON THIRD READING RESUMED

And the bill:

H. 435. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, Regular Session 1951 (Acts of Alabama 1951, p. 259) to provide certain educational benefits to dependents, children and wives of members of the Armed Forces listed as missing in action and listed as prisoners of war.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Reid (R)	
Adams	Dill	Lutz	Robertson	
Adwell	Doss	McBride	St. John	
Bank	Drake	McCluskey	Smith (K)	
Barkett	Edwards	McCorquodale	Smith (P)	
Benton	Ellis	Manley	Stewart	
Boles	Erdreich	Mathews	Straiton	
Burgess	Falkenburg	May	Therrell	
Callahan	Gloor	Meeks	Timmons	
Carnes	Grainger	Mims	Turner	
Carter	Gray (F)	Naramore	Waggoner	
Casey	Grey (D)	O'Daniel	Waldrop	
Cauthen	Harris	Owens	Wallace	
Chesnut	Hobbie	Parker (T)	Weeks	
Connell	Jackson	Perloff	Williams	
Coshatt	Jones (F)	Pruitt	Wise	
Cottingham	King	Reed (T)	Wynot	
Cross				—69

UNANIMOUS CONSENT

At the request of Mr. Harris, unanimous consent was granted to allow all members voting Yea on the bill, H. 435, to be added as co-authors.

And the bill:

H. 395. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides

maximum finance charges for loans and credit sales, and regulates extensions of credit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Dill	Lutz	St. John
Bank	Drake	McCluskey	Smith (P)
Burgess	Ellis	McCorquodale	Stewart
Callahan	Gafford	Manley	Straiton
Carnes	Gloor	Mathews	Stubbs
Carter	Grainger	Meeks	Therrell
Casey	Gray (F)	Mims	Timmons
Cauthen	Grey (D)	Naramore	Turner
Chesnut	Headley	O'Daniel	Wallace
Connell	Jackson	Parker (T)	Weeks
Coshatt	Jones (F)	Perloff	Williams
Cottingham	King	Pruitt	Wood
Cross	Lang	Robertson	Wynot
Culver			

—53

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 383. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8(I) of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Ellis	McCorquodale	Smith (P)
Bank	Erdreich	Manley	Stewart
Burgess	Gafford	Mathews	Stokes
Callahan	Gloor	May	Straiton
Carnes	Grainger	Meeks	Stubbs
Carter	Gray (F)	Mims	Therrell
Casey	Grey (D)	Naramore	Timmons
Chesnut	Hobbie	O'Daniel	Turner
Connell	Jackson	Owens	Turnham
Coshatt	Jones (F)	Parker (T)	Waggoner
Cottingham	King	Perloff	Waldrop
Cross	Lang	Pruitt	Weeks
Crowe	Lutz	Robertson	Williams
Culver	McBride	St. John	Wood
Dill	McCluskey	Smith (K)	Wynot
Edwards			

—61

And the bill:

H. 384. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 8 (11) of such Act, so as to revise the qualifications of appraisers employed to appraise the property in each county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Drake	Lutz	Smith (P)	
Bank	Edwards	McCluskey	Stewart	
Burgess	Ellis	McCorquodale	Stokes	
Callahan	Falkenburg	Manley	Straiton	
Carnes	Gloor	Mathews	Stubbs	
Carter	Grainger	May	Therrell	
Casey	Gray (F)	Mims	Timmons	
Chesnut	Grey (D)	O'Daniel	Turner	
Connell	Harris	Owens	Turnham	
Coshatt	Headley	Parker (T)	Waldrop	
Cottingham	Hobbie	Perloff	Weeks	
Cross	Jackson	Pruitt	Williams	
Crowe	Jones (F)	Robertson	Wood	
Culver	King	St. John	Wynot	
Dill	Lang	Smith (K)		—59

Nays:

Messrs.:				
Cauthen	Erdreich	Gafford	McBride	
				—4

And the bill:

H. 385. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 6 of such Act, so as to revise the qualifications of appraisers employed to review assessment systems.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 3.

Yeas:

Mr. Speaker	Cross	Gray (F)	Manley
Bank	Crowe	Grey (D)	Mathews
Burgess	Culver	Headley	May
Callahan	Dill	Hobbie	Meeks
Carnes	Downing	Jackson	Mims
Carter	Drake	Jones (F)	Naramore
Casey	Edwards	King	O'Daniel
Chesnut	Ellis	Lang	Owens
Connell	Falkenburg	Lutz	Perloff
Coshatt	Gloor	McCluskey	Pruitt
Cottingham	Grainger	McCorquodale	Robertson

St. John	Straiton	Turner	Weeks	
Smith (K)	Stubbs	Turnham	Williams	
Smith (P)	Therrell	Waldrop	Wood	
Stewart	Timmons	Wallace	Wynot	
Stokes				—61

Nays:

Messrs.:	Cauthen	Erdreich	McBride	—3

And the bill:

H. 386. To amend the Act proposed by H. B. 59 of the Third Special Session of 1971, (now in manuscript form), which said Act provides for the statewide property reappraisal program, by amending Section 13 of such Act, as to the use of funds to pay the cost of appraisal systems.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 5.

Yeas:

Mr. Speaker	Drake	McCorquodale	Smith (P)	
Burgess	Edwards	Manley	Snell	
Callahan	Ellis	Mathews	Stewart	
Carnes	Gloor	May	Stokes	
Carter	Grainger	Meeks	Stubbs	
Casey	Gray (F)	Mims	Therrell	
Chesnut	Grey (D)	Naramore	Timmons	
Connell	Headley	O'Daniel	Turner	
Coshatt	Hobbie	Owens	Turnham	
Cottingham	Jackson	Perloff	Waldrop	
Cross	Jones (E)	Pruitt	Wallace	
Crowe	King	Reid (R)	Weeks	
Culver	Lang	St. John	Williams	
Dill	Lutz	Smith (K)	Wynot	
Downing	McCluskey			—58

Nays:

Messrs.:	Doss	Falkenburg	McBride	
Cauthen	Erdreich			—5

And the bill:

H. 422. To amend Act 171, H. 31, Special Session 1967, (Acts 1967, p. 218) which requires operators and passengers riding two wheel motorized vehicles to wear protective helmets, prescribes standards for helmets that may be worn, provides for testing such helmets, prohibits the sale in this state of substandard helmets, imposes responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribes penalties so as to prescribe additional requirements.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker	Doss	Jones (F)	Perloff
Adams	Downing	King	Pruitt
Adwell	Drake	Lang	Reid (R)
Boles	Ellis	Lutz	Robertson
Callahan	Erdreich	McBride	St. John
Carnes	Falkenburg	McCluskey	Snell
Carter	Gafford	McCorquodale	Stokes
Cauthen	Gloor	Manley	Stubbs
Cherner	Grainger	Mathews	Therrell
Chesnut	Gray (F)	May	Timmons
Connell	Grey (D)	Meeks	Turnham
Coshatt	Harris	Mims	Waggoner
Cottingham	Headley	Naramore	Waldrop
Cross	Hobbie	O'Daniel	Wallace
Culver	Jackson	Owens	Weeks
Dill	Jones (E)	Parker (T)	Wynot

—64

Nay: Mr. Williams. —1

And the bill:

H. 423. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

Was read a third time at length and lost, lacking a two-thirds vote.

Yeas 32; Nays 22.

Yeas:

Messrs.:	Doss	Lang	Perloff
Adams	Ellis	Lutz	Snell
Boles	Erdreich	McBride	Stubbs
Carnes	Harris	Manley	Therrell
Cauthen	Headley	May	Timmons
Connell	Jackson	Meeks	Waggoner
Coshatt	Jones (E)	Naramore	Waldrop
Culver	Jones (F)	Owens	Weeks
Dill			

—32

Nays:

Mr. Speaker	Drake	McCorquodale	Reid (R)
Carter	Gafford	O'Daniel	Robertson
Chesnut	Gloor	Parker (H)	St. John
Cottingham	Grainger	Parker (T)	Stewart
Cross	Grey (D)	Pruitt	Williams
Downing	King		

—22

And the bill:

H. 426. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, animal drawn vehicles and persons riding animals.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 5.

Yeas:

Mr. Speaker	Downing	Jones (F)	Pruitt	
Adams	Drake	King	Reid (R)	
Bank	Edwards	Lang	St. John	
Boles	Ellis	McBride	Snell	
Carnes	Erdreich	Manley	Stewart	
Carter	Gafford	May	Stubbs	
Cauthen	Gloor	Meeks	Therrell	
Connell	Grainger	Mims	Timmons	
Coshatt	Gray (F)	Naramore	Waggoner	
Cottingham	Grey (D)	O'Daniel	Waldrop	
Culver	Headley	Owens	Wallace	
Dill	Jackson	Parker (T)	Wynot	
Doss	Jones (E)	Perloff		—51

Nays:

Messrs.:	Lutz	Roberts	Williams	
Chesnut	McCorquodale			—5

And the bill:

H. 428. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 42; Nays 15.

Yeas:

Mr. Speaker	Ellis	McBride	St. John	
Adams	Erdreich	McCorquodale	Smith (P)	
Boles	Falkenburg	Manley	Snell	
Callahan	Gafford	Mathews	Stubbs	
Carnes	Grey (D)	May	Therrell	
Cauthen	Headley	Naramore	Timmons	
Connell	Jackson	Owens	Turnham	
Coshatt	Jones (E)	Perloff	Waldrop	
Cottingham	King	Pruitt	Wallace	
Cross	Lang	Reid (R)	Wynot	
Dill	Lutz			—42

Nays:

Messrs.:	Downing	Gray (F)	Robertson	
Carter	Drake	Hobbie	Stewart	
Cherner	Gloor	Parker (H)	Stokes	
Chesnut	Grainger	Parker (T)	Williams	
				—15

And the bill:

H. 431. To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Parker (T)
Adams	Dill	Jones (E)	Perloff
Bank	Doss	Jones (F)	Pruitt
Boles	Downing	King	Reid (R)
Callahan	Drake	Lang	St. John
Carnes	Edwards	Lutz	Smith (P)
Carter	Ellis	McBride	Snell
Casey	Erdreich	McCluskey	Stewart
Cauthen	Falkenburg	McCorquodale	Stokes
Cherner	Gafford	Mathews	Stubbs
Chesnut	Gloor	May	Therrell
Collins	Grainger	Meeks	Timmons
Connell	Gray (F)	Naramore	Waggoner
Coshatt	Grey (D)	O'Daniel	Waldrop
Cottingham	Harris	Owens	Wallace
Cross	Headley	Parker (H)	Wynot

—64

And the bill:

H. 420. (With Substitute): To further amend Title 52, Section 6 of the Code of Alabama 1940, as amended, in relation to the composition of the state board of education and the terms of the members thereof.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Education, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Title 52, Section 6 of the Code of Alabama 1940, as amended, in relation to the composition of the State Board of Education and the terms of the members thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Code of Alabama 1940, Title 52, Section 6, as amended, is hereby further amended to read as follows:

The State Board of Education as elected in 1970 shall continue to have until 1975 eight (8) members elected from the respective Congressional Districts as such districts existed in 1970. The Governor shall continue to serve as an ex officio member.

Members from the first, third, fifth and seventh districts whose terms expire in 1973 shall be elected for a two year term at the general election in 1972. Beginning in 1975 the State Board of Education shall consist of seven (7) members elected at the general election in 1974 from the seven (7) Congressional Districts. Members elected from the first, third, fifth and seventh Congressional districts shall serve for four years. Members from the second, fourth, and sixth Congressional Districts shall serve

for a term of two years. Thereafter members of the Board shall serve for terms of four years each and members from each Congressional District shall be elected by the qualified electors of the districts at the general election immediately preceeding the expiration of the term of office of the member representing such district on the Board and every four years thereafter. Each member shall hold office from the first Monday after the second Tuesday in January next after his election and until his successor is elected and qualified.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

RESOLUTION

The following resolution was introduced:

By Messrs. Weeks, Robertson, Parker (T), Bank and Culver:

H. J. R. 148. COMMENDING PAUL (BEAR) BRYANT AND RALPH (SHUG) JORDAN FOR THEIR WORK AND LEADERSHIP ON BEHALF OF ALABAMA'S MENTALLY HANDICAPPED AND NAMING THE CHAPEL AT BRYCE HOSPITAL THE BRYANT-JORDAN CHAPEL.

WHEREAS Mr. Paul (Bear) Bryant and Mr. Ralph (Shug) Jordan have worked long and faithfully and have given freely of their valuable time on behalf of Alabama's mentally handicapped; and

WHEREAS their outstanding leadership and dedication have made possible the chapels at Bryce Hospital and Partlow State School and Hospital; and

WHEREAS the Alabama Legislature wishes to pay lasting tribute to the contributions these fine men have made to the mental health program in Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Paul (Bear) Bryant and Mr. Ralph (Shug) Jordan are highly commended and thanked on behalf of the people in this State for their contributions to the mental health program of Alabama.

BE IT FURTHER RESOLVED, that the chapel at Bryce Hospital be and the same is hereby named the Bryant-Jordan Chapel.

On motion of Mr. Weeks, the rules were suspended and the resolution, H. J. R. 148, was adopted.

H. B. 420 RESUMED

On motion of Mr. Grainger, the substitute offered by the Standing Committee on Education, was adopted.

Yeas 53; Nays 6.

Yeas:

Messrs.:	Boles	Cherner	Connell
Adwell	Carter	Chesnut	Cottingham
Bank	Cauthen	Collins	Cross

Doss	Grey (D)	Parker (H)	Stubbs	
Downing	Headley	Parker (T)	Therrell	
Drake	Jones (E)	Perloff	Timmons	
Edwards	King	Reid (R)	Turner	
Ellis	Lutz	Robertson	Turnham	
Erdreich	McBride	St. John	Waggoner	
Falkenburg	McCluskey	Smith (P)	Wallace	
Gafford	Manley	Snell	Weeks	
Gloor	Meeks	Stewart	Wood	
Grainger	Naramore	Stokes	Wynot	
Gray (F)	O'Daniel			—53

Nays:

Mr. Speaker	Jones (F)	Straiton	Wallace	
Carnes	McCorquodale			—6

And the bill, H. 420, as thus amended:

To further amend Title 52, Section 6 of the Code of Alabama 1940, as amended, in relation to the composition of the State Board of Education and the terms of the members thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 14.

Yeas:

Messrs.:	Doss	King	Smith (P)	
Adwell	Downing	Lutz	Snell	
Bank	Drake	McBride	Stewart	
Boles	Edwards	McCluskey	Stokes	
Burgess	Ellis	Manley	Therrell	
Carnes	Erdreich	Meeks	Timmons	
Carter	Falkenburg	Naramore	Turner	
Cauthen	Gafford	Parker (H)	Turnham	
Cherner	Gloor	Parker (T)	Waggoner	
Chesnut	Grainger	Perloff	Waldrop	
Connell	Gray (F)	Pruitt	Wallace	
Cottingham	Grey (D)	Reid (R)	Weeks	
Cross	Hill	Robertson	Wood	
Culver	Jones (E)	St. John	Wynot	
				—55

Nays:

Mr. Speaker	Headley	Lang	O'Daniel	
Benton	Jackson	McCorquodale	Straiton	
Collins	Jones (F)	May	Wise	
Harris	Kinsey			—14

H. B. 207 INDEFINITELY POSTPONED

On motion of Mr. Jones (F), the bill H. 207, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Bailes:

S. J. R. 41. Establishing a permanent standing legislative committee on Standards of Official Conduct in each house of the Legislature, and further establishing a Code of Official Conduct for Legislators.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be hereby established a permanent standing legislative committee on Standards of Official Conduct in each house of the Legislature. The committee in the Senate shall consist of five senators appointed by the presiding officer of the Senate, and the committee in the House of Representatives shall consist of seven members of the House of Representatives appointed by the Speaker.

(A) Each of the committees, hereby established, shall be invested with the following specific powers:

1. To have referred to them measures relating to a code of official conduct or amendments thereto, together with any measures relating to financial disclosures required by members of the respective houses.

2. To recommend to the respective houses of the legislature, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish and enforce standards of official conduct for members of the respective houses.

3. To investigate, subject to limitations herein recommended, any alleged violations by a member of the respective house, of the code of official conduct for such house, or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such member in the performance of his official duties or the discharge of his responsibilities as a legislator, and, after notice and a hearing, at which the accused member must be given the opportunity to appear with counsel and present evidence and cross examine witnesses appearing against him to recommend to the respective house, by resolution or otherwise, such action and the procedure for such action as the committee may deem appropriate in the circumstances.

4. To give consideration to the request of a member of the respective houses for an advisory opinion with respect to the general propriety of any current or proposed conduct of a member, and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinions for the guidance of other members.

(B) The following limitations are hereby placed on the authority of each of such committees:

1. No resolution, report, recommendation or advisory opinion relating to the official conduct of a member of the house of the legislature involved shall be made, and no investigation of such conduct shall be undertaken, unless approved by an affirmative vote of the majority of the members of the committee.

2. Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual member only (a) upon receipt of a complaint, in writing, made by a member of the respective house and delivered to the committee by the member making such com-

plaint, or (b) upon receipt of a complaint from an individual non-legislator, in writing and under oath, submitted to a member of the house as to which the complaint relates and transmitted to a committee by a member of the house to which the complaint relates, or (c) upon receipt of a complaint, in writing and under oath, directly from an individual not a member of either house of the legislature if the committee finds that such complaint has been submitted by such individual to no less than two members of that house as to which the complaint relates which members must be fully identified by the complaining party and where such members have refused to transmit such complaint to the committee.

3. No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

4. A member of the committee shall be ineligible to participate as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the presiding officer of the respective house shall designate a member of that house to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

(C) FURTHER RESOLVED That a Code of Official Conduct for Legislators, as follows, is hereby established:

1. A member of the Legislature of Alabama shall conduct himself at all times in a manner which will reflect creditably on the Legislature of Alabama.

2. Every member of the Legislature of Alabama shall adhere to the spirit and letter of the rules of the respective houses of the Legislature of Alabama and to the rules of duly constituted committees thereof, including committees on Standards of Official Conduct.

3. No member of the Legislature of Alabama shall receive any compensation nor shall he permit any compensation to accrue to his beneficial interest, the receipt of which would occur by virtue of influence exerted from his position in the Legislature and where such compensation is to any degree conditioned upon such exertion of influence.

4. No member of the Legislature shall knowingly solicit, accept or receive any gift, thing of economic value, or compensation other than that to which he is entitled from the State, which is intended to influence the performance of his official duties or which would influence the performance of his official duties nor shall any member solicit, accept or receive such gift, thing of economic value, or compensation for advocating the passage or defeat of any legislation or for doing any act intended to influence the passage or defeat of legislation, including his vote thereon. No member of the Legislature shall accept any gift or thing of substantial economic value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Legislature of Alabama.

Gift, as used in this section shall include any thing of economic value with the exception of public awards, insignificant nonpecuniary gifts or compensation or gifts not connected with or related to either the legislative processes or the donee's services as a member of the Legislature,

nor shall gift or thing of economic value mean any food, drink or refreshments consumed by any official, including reasonable transportation and entertainment incident thereto while a personal guest of the person providing such.

5. No member of the Legislature shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority, nor shall a member of the Legislature use confidential information acquired by him in the course of his official duties to further his personal interests.

6. If a member of the Legislature shall receive any compensation, or enter into any agreement with any person, organization or corporation or other entity for compensation for services rendered or to be rendered, for assisting such entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, including representation in hearings before State agencies, boards, or commissions, but excluding all courts, he shall, within thirty days after the receipt of such compensation or entry into an agreement for the receipt of such compensation, file with the Committee on Standards of Official Conduct of the respective house of the Legislature of which he is a member, a written statement describing such representation as required by that part of the Code of Official Conduct for legislators relating to financial disclosures.

(D) RESOLVED FURTHER That, in addition to complying with the above prescribed Code of Official Conduct, each member of the legislature shall, within 30 days of the adoption of this resolution, or not later than April 30 following the date of their election if they are elected in a general election year, or within four (4) months following their election other than in a general election, and each year thereafter during their term of office not later than April 30, file with the Committee on Standards of Official Conduct of the respective house of the Legislature a report disclosing certain financial interests as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated Part "A" and Part "B".

PART "A"

1. List the name, instrument of ownership, and any position of employment held in any business entity doing business with the State of Alabama or any of its agencies or departments where the gross receipts for products, goods or services sold, furnished or supplied by such business entity to the State of Alabama or any of its agencies or departments, exceeds $5,000 in any one calendar year, where the ownership by the legislator in such business entity is in excess of $3,000 as of the date of filing, or where the legislator received $1,000 or more as income from such business during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity interest.

2. List the name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director or partner, or serves in any advisory capacity, from which income of $1,000 or more was received during the preceding calendar year.

(i) If the professional organization in which the person reporting or his spouse is the owner, or an officer, director or partner, or serves in any advisory capacity, has, during the preceding calendar year, received any compensation or entered into any agreement whereby compensation would be received, for services rendered or to be rendered, as a retainer, or otherwise, from any trade organization, association or professional association, or from any person, firm or corporation whose regular business activities, as distinguished from mere licensing to do business, is subject to regulation and examination by a regulatory agency of the State of Alabama, and where such compensation to such professional organization during the preceding calendar year from any such trade organization, association or professional association, or corporation or other business entity exceeded or will, pursuant to an agreement for services to be rendered exceed the sum of $1,000, then the person so reporting shall list the name and address of such trade organization, association, professional association, corporation or other business entity.

(ii) List the source of each of the following items received during the preceding calendar year, or which by existing agreement it is anticipated will be received during a current calendar year:

(a) Any income for services rendered exceeding $5,000.

(b) Any capital gain of a single source exceeding $2,000 other than from the sale of a residence occupied by the person reporting. Information filed under Part "A" shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe, including, but not limited to, regulations requiring identification by name, occupation, address and telephone number of each person examining information filed under Part "A" and regulations requiring the committee promptly to notify each legislator of each instance of an examination of information filed under Part "A" by such member.

PART "B"

1. Any member of the Legislature who shall receive any compensation or enter into any agreement with any person, firm or corporation or other business entity for compensation for services rendered or to be rendered, for assisting any such person, firm or corporation or other business entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, shall be required to disclose such under Paragraph 6 of the Code of Official Conduct for Legislators, and he shall file with the Committee on Standards of Official Conduct within thirty days after the receipt of such compensation, or entry into agreement for such compensation a statement, in writing, disclosing the following: (1) The name and address of the person, firm or corporation or other business entity from which such compensation has been or will be received; (2) Whether or not the compensation so received, or contracted to be received, exceeds $100 if the precise amount of such compensation has been fixed, and if not, state the basis on which such compensation is to be computed; and (3) The identification of the state agency, board or commission or official before whom the legislator will appear or with whom the legislator will deal in any transaction for the compensation so paid or to be paid to him. No specific form for the disclosure of the foregoing information is required, but a letter containing the required information shall be sufficient. Such information filed under

this Part "B" shall be maintained by the Committee on Standards of Official Conduct, and made available to responsible public inquiry in the same manner and upon the same conditions as the disclosures required in Part "A" hereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 41, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 75. Setting up a Fire Ant Study Commission.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Foshee:

S. B. 214. To provide a code of ethics for the executive and legislative branches of state government and for all state officials and employees therein, and for lobbyists; to establish the Alabama Ethics Commission as a permanent agency of state government, to provide for the appointment and terms of its members, and to prescribe its authority, duties and procedure; to define terms; to prescribe penalties for violations of this code of ethics; and to exclude officials and employees of the judicial branch of state government from the provisions of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 214. Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 141. DECLARING THAT THE LEGISLATIVE INTENT OF ACT NO. 674, S. 91 APPROVED SEPTEMBER 4, 1951, INCLUDES THE RIGHT FOR TEACHERS IN COMPUTING NET INCOME FOR INCOME TAX PURPOSES, TO DEDUCT ALL ORDINARY AND NECESSARY EXPENSES INCURRER IN THE PURSUIT OF A MASTER'S OR SUBSEQUENT HIGHER DEGREE.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 222. To make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 205. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Also:

By Mr. Givhan:

S. 225. To apply only in counties having populations of not less than 54,000 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Also:

By Mr. Register:

S. 231. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances

and compensation of county officers of Dale County, and the regulation of costs and charges of courts in said county.

Also:

By Messrs. Noonan and Edington:

S. 217. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Also:

My Messrs. Noonan and Edington:

S. 218. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 205. Standing Committee on Local Legislation No. 1.

S. 225. Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bill, S. 231, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 217. Standing Committee on Local Legislation No. 3.

S. 218. Standing Committee on local Legislation No. 3.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:30 P. M. On February 2, 1972:

H. J. R. 71

H. J. R. 72

H. J. R. 80

H. J. R. 81

H. J. R. 82

H. J. R. 83

H. J. R. 84

H. J. R. 89

H. J. R. 93

H. J. R. 94

H. J. R. 95

H. J. R. 97

H. J. R. 101

H. J. R. 110

H. J. R. 116

H. J. R. 118

H. J. R. 122

H. 197

H. 210

H. 211

H. 221

H. 220

H. 195

H. 217

H. 229

H. 215

H. 189

H. 253

H. 254

H. 255

H. 256

H. 262

H. 264

H. 224

H. 357

H. 358

H. 364

H. 213

H. 280

H. 350

H. 349

H. 348

H. 201

H. 237

H. 279

H. 293

H. 309

H. 311

H. 310

H. 319

H. 315

H. 317

H. 325

Delivered to the Governor at 4:30 P. M. on February 2, 1972:

H. 240

H. 116

Delivered to the Secretary of State at 2:35 P. M. On February 2, 1972

H. 252 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Manley, the House adjourned until 12:00 o'clock noon, Thursday, February 3, 1972.

TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Thursday, February 3, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Larry Bennett, Pastor, Snowdoun United Methodist Church, Snowdoun, Alabama.

ROLL CALL

Mr. Speaker	Crowe	Jones (E)	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Baker	Doss	Kinsey	Slate
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Straiton
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	O'Daniel	Waldrop
Cherner	Grey (D)	Owens	Wallace
Chesnut	Hardin	Parker (H)	Warren
Collins	Harris	Parker (T)	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Jackson	Reynolds	—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 198. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 169. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act" Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the highway department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

S. 170. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 51. Relating to any county having a population of not less than 34,000 nor more than 34,800; to abolish the fine and forfeiture fund of such county; to provide for the payment of certain fines and forfeitures

collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

S. 173. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; to provide further for the compensation of the Board of Registrars.

S. 174. Relating to counties having a population of not less than 21,924, nor more than 22,960, according to the most recent Federal Decennial Census; providing expense allowances for the members of the County Commission of said counties.

S. 225. To apply only in counties having populations of not less than 54,000 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 217. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

S. 218. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 231. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Dale County, and the regulation of costs and charges of courts in said county.

The above bill was read a second time at length as required by the Constitution.

S. 203. To repeal Act No. 358, H. 772, Regular Session 1953, (Acts 1953, p. 425), approved August 17, 1953, entitled, "An Act to define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and to create a Barbers' Commission for said county; and to fix the powers and duties of said commission; and to prescribe penalties for violations hereof."

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

And said Bill, H. B. 58, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Horne:

S. J. R. 50. Congratulating our beloved Governor, George C. Wallace, for his selection as one of the ten most admired men in the world today.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 50, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pierce and Jones:

S. J. R. 64. CONGRATULATING THE MEMBERS OF THE ALABAMA ASSOCIATION OF NURSING STUDENTS FOR THEIR EFFORTS TO RENDER SERVICE TO STATE MENTAL HOSPITALS AND THEIR PATIENTS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 64, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Foshee:

S. J. R. 33. Re-creating the Joint Interim Committee on Agriculture

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution and the first legislative day of the 1975 regular legislative session, which shall make a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1975 regular session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee. The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. The total expenditures of the committee in any fiscal year shall not exceed five thousand dollars, inclusive of per diem legislative pay.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Culver, the rules were suspended and the House concurred in and adopted the S. J. R. 33, set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions introduced on the Twenty-third Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 132. THANKING MRS. ESTELLE DEAN FOR TWENTY-FIVE YEARS OF SERVICE.

H. J. R. 133. COMMENDING BOB BROWN FOR WINNING ALL SOUTHEASTERN CONFERENCE HONORS.

On motion of Mr. Gloor, the resolutions were adopted en masse.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Downing and Culver:

H. R. 149. COMMENDING ALL HOUSE EMPLOYEES AND CLERKS FOR FAITHFUL SERVICES

WHEREAS the House of Representatives of the State of Alabama has been in almost continuous session since January, 1971; and

WHEREAS the work performed by the employees and clerks of the House of Representatives have, in many instances, required long and tedious hours far beyond the call of ordinary duty; and

WHEREAS regardless of the long hours and volume of work required, the employees and clerks of the House have performed their duties without complaint and with utmost perfection and dedication; and

WHEREAS no matter how grueling the task, the said clerks and employees performed most amiably and graciously and have treated this body with utmost courtesy;

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA that we hereby commend and thank all of the clerks and employees of this House of Representatives for their courtesy, their amiable and gracious manner, and their devotion to duty in a job well done.

On motion of Mr. Downing, the rules were suspended and the resolution, H. R. 149, was adopted.

Also:

By Messrs. Grainger, Lutz and King:

H. J. R. 150. COMMENDING REPRESENTATIVE GLENN HEARN

WHEREAS, Representative Glenn Hearn, a distinguished member of the Alabama House of Representatives, has announced his candidacy for the position of Mayor of the City of Huntsville; and

WHEREAS, Mr. Hearn serves in an outstanding manner representing the people of his county, has sponsored meaningful and progressive legislation for Madison County as well as for the State of Alabama; and

WHEREAS, Mr. Hearn has had a long and varied career in public service with the Federal Bureau of Investigation, as a former Mayor of Huntsville, the Huntsville-Madison County Chamber of Commerce, and other civic activities, and presently as a member of the State House of Representatives; and

WHEREAS, Mr. Hearn has won the friendship and respect of the members of this body and will be sorely missed in these legislative halls.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we commend Mr. Hearn for his valuable and outstanding services in the Legislature and wish for him the success in his future endeavors which he so richly deserves.

BE IT FURTHER RESOLVED That a copy of this resolution be given to Mr. Hearn.

On motion of Mr. Grainger, the rules were suspended and the resolution, H. J. R. 150, was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Grainger requested unanimous consent to allow all members of the House to add their names as co-authors of the resolution, H. J. R. 150, and it was so granted.

INDEFINITELY POSTPONED

On motion of Mr. Gloor, all House bills on the calendar were indefinitely postponed.

SENATE BILLS CARRIED OVER

On motion of Mr. Straiton, all local Senate bills were carried over to the twenty-sixth legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 222. To make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session.

Also:

H. J. R. 75. Setting up a Fire Ant Study Commission.

Also:

H. J. R. 141. Declaring that the legislative intent of Act No. 674, S. 91 approved September 4, 1951, includes the right for teachers in computing net income for income tax purposes, to deduct all ordinary and necessary expenses incurred in the pursuit of a Master's or subsequent higher degree.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 117. To Amend Act No. 2, (Second Special Session) 1971. So as to change the appropriation made in Section 2, F (23) (e) thereof.

Also:

S. 125. To amend Act No. 407, H. 198 of the Regular Session of 1971, which establishes general qualifications for licensees as insurance agents, brokers and solicitors, so as to provide that the residence and domiciliary requirement may be waived if the applicant for a license is a bona fide resident of and maintains an established office in a populous community lying partly in Alabama and partly in an adjoining state, which is composed of two or more contiguous cities, towns, or villages not completely separated by a natural boundary.

Also:

S. 157. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Also:

S. 159. To make a conditional supplemental appropriation from the Special Educational Trust Fund to the Speech and Hearing Center at the University of Montevallo for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

S. 120. To authorize the formation of professional corporations for the purpose of rendering professional services; to prescribe the manner of organization of such corporations; to limit the purposes of the organization of such corporations; to limit membership in or shareholders of such corporations to persons so licensed to practice in the State of Alabama; to regulate the naming of such corporations; to regulate the issuance of stock in such corporations; to regulate the rendering of professional services furnished by such corporations; to preserve professional relationships and regulations; to prohibit certain acts; to provide for severance of interests in such corporations; to provide for the death or disqualification of shareholders; to require the submission of annual certificates and reports; and to limit mergers or consolidations.

Also:

S. 71. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Foshee:

S. J. R. 12. APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That said Legislature, hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

ARTICLE

No student shall be assigned to nor compelled to attend any public school on account of race, religion, color or national origin.

BE IT FURTHER RESOLVED, That this application by the Legislature of the State of Alabama constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no long be of any force or effect; and

BE IT FURTHER RESOLVED, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the

sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Alabama interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and

BE IT FURTHER RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States.

SENATE MESSAGE

The S. J. R. 12, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 22. Congratulating the Decatur High School Football Team.

Also:

S. 26. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers and deputy sheriffs in this State and may exercise such powers anywhere within the State.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Cherner:

H. J. R. 151. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. There is hereby created a fiscal office for the Alabama Legislature which shall be under the supervision, direction and control of an officer designated as the director of the fiscal office. The state personnel department shall set up a register of persons eligible for the position of director of this finance office. The director shall be appointed by the fiscal committee from a list of persons eligible for the office certified to it by the state personnel department in the same manner that such department certified eligible persons for appointments to positions in the classified service of the State. The director shall not, however, be deemed a state employee in the classified service, and, except as to the manner of his appointment, shall not in any way be subject to the state merit system law. He may, at his election, participate in any retirement system available to state employees. His salary shall be fixed by such committee at an amount not to exceed $22,500.00 per annum. He may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to effect the purposes of this Act; and he is specifically authorized when, in his opinion, he can thereby serve the legislature better, and when he has the approval of the committee, to employ on a part-time basis, without regard to the state merit system law, such consultants and experts as he deems necessary. Such office shall be separate from and independent of the Legislative Reference Service.

2. The fiscal office is established for the purpose of assisting the finance and taxation committee of the Senate, the ways and means committee of the House of Representatives, other standing committees of the legislature, and the individual members of the legislature by providing budget review, fiscal analysis, and other types of financial information. Each department and agency of the State of Alabama government is further required to make its studies, surveys, statistics, internal records and other information available to the legislative fiscal office, upon request. Failure to comply with any such request shall constitute a misdemeanor. More specifically the fiscal office is charged with the following duties:

(1) Analysis and review of agency operating budget requests;

(2) Answering requests from individual legislators for fiscal information;

(3) Evaluating legislative proposals for fiscal effect (i.e. preparing fiscal notes);

(4) Analysis of agency capital budget requests, with the intention of helping to establish priorities;

(5) Studying, in depth, selected executive programs during the interim between sessions of the legislature;

(6) Reviewing, on a continuous basis, agency budgets and programs;

(7) Checking executive revenue estimates for accuracy and possible revision;

(8) Reviewing federal aid programs to insure that Alabama is taking full advantage of its opportunities for federal assistance;

(9) Reviewing Alabama programs in which federal funds are involved and answering questions regarding efficiency, overlap, duplication

or waste and whether the programs should be renewed or extended when federal funding runs out;

(10) Preparing research memoranda on both the short and long range costs of executive programs;

(11) Pointing out new sources of revenues;

(12) Assisting committees in developing means to review periodically executive programs for efficiency and effectiveness;

(13) Briefing committee members in advance of public hearings on the most important aspects of an agency's program, and assisting the committee in scheduling and preparing the agenda for the hearing; and

(14) Performing such other duties as may be assigned by law or by the joint fiscal committee.

3. There is hereby created a continuing legislative committee to be known as the joint fiscal committee whose duty it shall be to supervise the operation of the legislative fiscal office. The committee shall consist of the chairman of the House Ways and Means Committee, four members elected from the House of which none shall be members of the Ways and Means Committee, the chairman of the Senate Finance and Taxation Committee and four members elected from the Senate of which none shall be members of the Finance and Taxation Committee, and whose terms shall be for the quadrennium for which they have been elected to the legislature and until their successors have been elected and have qualified. The committee shall elect its own chairman and shall meet at the call of the chairman or any two members thereof, provided that the committee shall meet at least once each four months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work.

4. The expenses of the legislative fiscal office shall be paid from funds appropriated to the use of the legislature, provided the total amount so expended shall not exceed the sum of $75,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

And said resolution, H. J. R. 151, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 140. CONGRATULATING THE MEMBERS OF THE ALABAMA ASSOCIATION OF NURSING STUDENTS FOR THEIR EFFORTS TO RENDER SERVICE TO STATE MENTAL HOSPITALS AND THEIR PATIENTS.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 58. To amend Section 1 of Act No. 462, H. 833, Regular Session 1939 (Local Acts 1939, p. 277), as amended by Act No. 193, H. 556, Regular Session 1965 (Acts 1965, p. 276) (codified at Section 138, Title 62, Code of Alabama 1940, Recompiled 1958), which provides for the maintenance of law libraries in Jefferson County by authorizing the collection of a tax paid as a part of court costs in actions in Jefferson County courts; provides for the maintenance and expense of such funds, and provides for the method of use of such funds, by increasing the tax from ten cents to twenty-five cents in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division).

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:25 P. M. On February 3, 1972:

H. 222

H. J. R. 75

H. J. R. 141

Delivered to the Governor at 3:55 P. M. On February 3, 1972:

H. 58

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended Joint Rule 12 as follows, and sends same herewith to the House for its consideration:

Joint Rule 12. No bill amending an existing statute shall be introduced in the Senate unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be inserted is shown by underscored type. Provided, however, that this rule shall not apply to local bills or to general bills of local application on a population basis.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Message regarding Joint Rule 12, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended Joint Rule 13 as follows, and sends same herewith to the House for its consideration:

Joint Rule 13. All bills, except local bills and general bills with local application, introduced in the House and Senate shall have printed at the top of the bill a brief synopsis of the contents. The Clerk and Secretary shall not accept for introduction any bill that does not comply with this or the immediately preceding rule and, in the event such a bill is accepted, it shall, upon request of any member, be returned to committee and held until such time as it fully complies with said rules.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Message regarding Joint Rule 13, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Gloor, the House adjourned until 12:00 o'clock noon, Friday, February 4, 1972.

TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, February 4, 1972

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Philip Black, Pastor, Highland Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Culver	Jones (E)	Roberts
Adams	Dill	King	Robertson
Adwell	Doss	Kinsey	St. John
Baker	Downing	Lang	Slate
Bank	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	Manley	Straiton
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Gloor	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cherner	Grey (D)	Owens	Waldrop
Chesnut	Hale	Parker (H)	Wallace
Collins	Hardin	Parker (T)	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Pruitt	Williams
Cottingham	Hearn	Reed (T)	Wise
Crawford	Hill	Reid (R)	Wood
Cross	Hobbie	Reynolds	Wynot
Crowe	Jackson		

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fifth legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Slate, leave of absence was granted for Mr. Cauthen, due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. J. R. 152. MOURNING THE DEATH OF J. D. CARROLL OF HUNTSVILLE

WHEREAS, J. D. Carroll of Huntsville has recently departed this life; and

WHEREAS, J. D. Carroll has achieved great prominence in Huntsville and Madison County as a practicing attorney, a church worker and a community leader; and

WHEREAS, Mr. Carroll has served with distinction in such organizations as the YMCA, the Huntsville-Madison County Chamber of Commerce, the South Side Baptist Church and the American Trial Lawyers Association; and

WHEREAS, J. D. Carroll leaves surviving him his wife, two sons and many friends.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we do deeply mourn the death of J. D. Carroll and extend our sympathy to his family and friends.

BE IT FURTHER RESOLVED That copies of this resolution be forwarded to his family.

On motion of Mr. Lutz, the rules were suspended and the resolution H. J. R. 152, was adopted.

Also:

By Mr. Ellis:

H. J. R. 153. CONGRATULATING THE MINOR HIGH SCHOOL BAND FOR WINNING FIRST PLACE IN NATIONAL CONTEST IN THE PEACH BOWL MARCHING CONTEST IN ATLANTA, GEORGIA

WHEREAS the Minor High School Band, "The Pride of Jefferson County," recently won first place in the Class A band competition at the Peach Bowl National Marching Contest in Atlanta, Georgia; and

WHEREAS this fine band was the only high school band to perform at half time of the game displaying its fine talent, including the sterling performance of its drum major, Frank Blanton, who won first place in Class A drum major competition with a point score of 95 out of a possible 100 points. The band drum major, colorguard and majorettes received first place Class A trophies; and

WHEREAS the band was invited to a pre-game concert at Equitable Life Plaza and also performed in the Peach Bowl parade as well as the pre-game show; and

WHEREAS the Minor High School band has achieved an outstanding record under the astute and brilliant leadership of Band Director Johnny Jacobs, earning "The Pride of Jefferson County" by winning Class A trophies in the Mid South Marching Competition in Gadsden and trophies in competition also at Tarrant and Selma, Alabama. This fine band also received Superior Ratings at District and State competition and placed more members on the AllState band than any other in Jefferson County; and

WHEREAS this fine band's conduct in Atlanta was exemplary as evidenced by letters from the cafeteria where they ate, the bus drivers and two other band directors present; and

WHEREAS this Legislature is proud of these fine young musicians and these esteemed honors won not only for themselves and their school but for the people of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it extends heartfelt congratulations to Minor High School Marching Band and Director Johnny Jacobs for winning first place in Class A band competition at the Peach Bowl and its other outstanding honors.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to members of the band, Director Johnny Jacobs, and the Jefferson County Board of Education.

On motion of Mr. Ellis, the rules were suspended and the resolution H. J. R. 153, was adopted.

Also:

By Mr. Cherner:

H. J. R. 154. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. There is hereby created a fiscal office for the Alabama Legislature which shall be under the supervision, direction and control of an officer designated as the director of the fiscal office. The state personnel department shall set up a register of persons eligible for the position of director of this finance office. The director shall be appointed by the fiscal committee from a list of persons eligible for the office certified to it by the state personnel department in the same manner that such department certified eligible persons for appointments to positions in the classified service of the State. The director shall not, however, be deemed a state employee in the classified service, and, except as to the manner of his appointment, shall not in any way be subject to the state merit system law. He may, at his election, participate in any retirement system available to state employees. His salary shall be fixed by such committee at an amount not to exceed $22,500.00 per annum. He may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to effect the purposes of this Act; and he is specifically authorized when, in his opinion, he can thereby serve the legislature better, and when he has the approval of the committee, to employ on a part-

time basis, without regard to the state merit system law, such consultants and experts as he deems necessary. Such office shall be separate from and independent of the Legislative Reference Service.

2. The fiscal office is established for the purpose of assisting the finance and taxation committee of the Senate, the ways and means committee of the House of Representatives, other standing committees of the legislature, and the individual members of the legislature by providing budget review, fiscal analysis, and other types of financial information. Each department and agency of the State of Alabama government is further required to make its studies, surveys, statistics, internal records and other information available to the legislative fiscal office, upon request. Failure to comply with any such request shall constitute a misdemeanor. More specifically the fiscal office is charged with the following duties:

(1) Analysis and review of agency operating budget requests;

(2) Answering requests from individual legislators for fiscal information;

(3) Evaluating legislative proposals for fiscal effect (i.e. preparing fiscal notes);

(4) Analysis of agency capital budget requests, with the intention of helping to establish priorities;

(5) Studying, in depth, selected executive programs during the interim between sessions of the legislature;

(6) Reviewing, on a continuous basis, agency budgets and programs;

(7) Checking executive revenue estimates for accuracy and possible revision;

(8) Reviewing federal aid programs to insure that Alabama is taking full advantage of its opportunities for federal assistance;

(9) Reviewing Alabama programs in which federal funds are involved and answering questions regarding efficiency, overlap, duplication or waste and whether the programs should be renewed or extended when federal funding runs out;

(10) Preparing research memoranda on both the short and long range costs of executive programs;

(11) Pointing out new sources of revenues;

(12) Assisting committees in developing means to review periodically executive programs for efficiency and effectiveness;

(13) Briefing committee members in advance of public hearings on the most important aspects of an agency's program, and assisting the committee in scheduling and preparing the agenda for the hearing; and

(14) Performing such other duties as may be assigned by law or by the joint fiscal committee.

3. There is hereby created a continuing legislative committee to be known as the joint fiscal committee whose duty it shall be to supervise the operation of the legislative fiscal office. The committee shall consist of

the chairman of the House Ways and Means Committee, four members elected from the House of which none shall be members of the Ways and Means Committee, the chairman of the Senate Finance and Taxation Committee and four members elected from the Senate of which none shall be members of the Finance and Taxation Committee, and whose terms shall be for the quadrennium for which they have been elected to the legislature and until their successors have been elected and have qualified. The committee shall elect its own chairman and shall meet at the call of the chairman or any two members thereof, provided that the committee shall meet at least once each four months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work.

4. The expenses of the legislative fiscal office shall be paid from funds appropriated to the use of the legislature, provided the total amount so expended shall not exceed the sum of $75,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

The motion of Mr. Cherner, to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 154, was lost.

Yeas 42; Nays 42.

Yeas:

Messrs.:	Dill	Hale	Reynolds
Adwell	Doss	Harris	St. John
Baker	Edwards	Hill	Slate
Carnes	Ellis	Lutz	Smith (P)
Carter	Erdreich	McDonald	Stewart
Cherner	Falkenburg	Manley	Stokes
Chesnut	Flippo	May	Taylor
Coshatt	Goodwin	Parker (H)	Timmons
Cottingham	Grainger	Parker (T)	Waggoner
Cross	Gray (F)	Reed (T)	Wynot
Crowe	Grey (D)	Reid (R)	—42

Nays:

Mr. Speaker	Crawford	Jones (E)	Pruitt
Adams	Culver	Kinsey	Robertson
Bank	Downing	Lang	Smith (K)
Bassett	Drake	McCluskey	Stubbs
Boles	Easters	McCorquodale	Therrell
Brassell	Fite	Mathews	Turner
Burgess	Gloor	Merrill	Turnham
Callahan	Hardin	Naramore	Wallace
Casey	Headley	O'Daniel	Williams
Collins	Hobbie	Owens	Wise
Connell	Jackson		—42

And the resolution, H. J. R. 154, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Cherner:

H. R. 155. DIRECTING THE CLERK OF THE HOUSE NOT TO APPROVE ANY EXPENSES OF LEGISLATIVE FUNDS WHICH

WERE ALLOWED UNDER ACT 1196, H. J. R. 223, REGULAR SESSION 1971.

WHEREAS in the 1971 Regular Session, this body passed a resolution increasing the staffs of the presiding officers of each house, and awarding expense allowances for said presiding officers and for each member of their respective staffs; and

WHEREAS this body now feels that such additional expenses are completely unwarranted and constitute an unnecessary drain on the slender resources of the Legislature, when the money could be put to much better use, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, that the Clerk of the House be instructed to discontinue any payments made under the provisions of Act No. 1196, H. J. R. 223, Regular Session 1971, approved September 16, 1971.

The motion of Mr. Cherner, to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. R. 155, was lost.

Yeas 37; Nays 37.

Yeas:

Messrs.:	Crawford	Hearn	St. John	
Baker	Cross	Hill	Slate	
Bank	Crowe	Lang	Smith (P)	
Benton	Dill	Lutz	Taylor	
Carter	Doss	Manley	Timmons	
Casey	Ellis	Naramore	Turner	
Cherner	Flippo	Parker (H)	Waldrop	
Connell	Grainger	Parker (T)	Warren	
Coshatt	Gray (F)	Robertson	Wood	
Cottingham	Hale			—37

Nays:

Messrs.:	Culver	Jones (E)	Smith (K)	
Adams	Downing	McCluskey	Stokes	
Bassett	Drake	McCorquodale	Stubbs	
Boles	Edwards	McDonald	Therrell	
Brassell	Fite	Mathews	Turnham	
Burgess	Goodwin	Merrill	Wallace	
Callahan	Hardin	Owens	Williams	
Carnes	Headley	Pruitt	Wise	
Chesnut	Hobbie	Reynolds	Wynot	
Collins	Jackson			—37

And the resolution, H. R. 155, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 140. Congratulating the members of the Alabama Association of Nursing Students for their efforts to render service to State Mental Hospitals and their patients.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

LEAVE OF ABSENCE

On motion of Mr. Taylor, leave of absence was granted for Mr. Jones (F), due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Jones (F) and Taylor:

H. J. R. 156. COMMENDING MRS. VIRGINIA WELDON FOR A JOB WELL DONE AND OFFERING BEST WISHES ON HER RETIREMENT.

WHEREAS Mrs. Virginia Weldon is retiring after thirty-two years of outstanding service working for the Montgomery Board of Equalization; and

WHEREAS she was a loyal and dedicated worker who was always willing to "take the extra step" in the performance of her duties; and

WHEREAS Mrs. Weldon by reason of her education, training, experience and innate abilities and temperament was admirably equipped to fill this most difficult position and to cope with the ceaseless day-by-day problems with which she was faced; and

WHEREAS she is a gracious southern lady who is ever ready to contribute to the needs of her neighbors and to the betterment and progress of her home town and state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its congratulations to Mrs. Virginia Weldon for a job well done and offers best wishes on her retirement.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Weldon.

On motion of Mr. Taylor, the rules were suspended and the resolution H. J. R. 156, was adopted.

Also:

By Mr. Hale:

H. J. R. 157. WHEREAS, the President of the United States has made public his long standing offer of peace to our enemy North Vietnam, and

WHEREAS, these proposals include a total cease fire throughout all Indochina, the mutual release of all prisoners of war, the total withdrawal of all American and allied forces from South Vietnam within six (6) months of acceptance of these proposals by Hanoi and the resignation of the President and Vice President of South Vietnam one (1) month before free elections are held including participation by the National Liberation Front, and

WHEREAS, these proposals have been continually and secretly offered in good faith for many months in direct private negotiations between the United States and North Vietnam in Paris;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That the Alabama Legislature does applaud the President for his efforts and supports him in his determination to bring American prisoners-of-war home and bring an honorable peace to Vietnam and the whole of Southeast Asia.

The motion of Mr. Hale, to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 157, was lost.

Yeas 11; Nays 46.

Yeas:

Messrs.:	Ellis	McCorquodale	Robertson	
Baker	Hale	McDonald	St. John	
Dill	Hearn	Parker (T)	Stokes	
				—11

Nays:

Mr. Speaker	Doss	Jackson	Reynolds	
Adams	Downing	Jones (E)	Slate	
Adwell	Drake	Lang	Snell	
Bassett	Erdreich	Lutz	Stewart	
Boles	Falkenburg	McCluskey	Stubbs	
Brassell	Fite	Merrill	Timmons	
Carnes	Gafford	Naramore	Turner	
Carter	Grainger	O'Daniel	Waggoner	
Chesnut	Grey (D)	Owens	Wallace	
Connell	Hardin	Pruitt	Weeks	
Crawford	Headley	Reid (R)	Wood	
Crowe	Hobbie			—46

And the resolution, H. J. R. 157, was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Manley, the House recessed until 2:30 p. m. o'clock this afternoon.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Stewart:

H. J. R. 158. WHEREAS, Representative Donald Stewart was chief sponsor of House Bill 294, and

WHEREAS, Representative Stewart requested that his name be stricken from the bill after the substitute proposal by Representative Snell was adopted because he did not concur with the provisions of the substitute proposal, and

WHEREAS, through unavoidable error his name was not stricken from the bill and he desires that such be done, Representative Stewart respectively requests that his name now be stricken from the bill and requests the Senate to comply with this request.

On motion of Mr. Stewart, the rules were suspended and the resolution H. J. R. 158, was adopted.

Also:

By Mr. Flippo:

H. J. R. 159. WHEREAS, Ronnie Flippo was one of the sponsors of House Bill 294 as introduced in the House of Representatives, and

WHEREAS, this bill has been materially altered by the Substitute, and

WHEREAS, Mr. Flippo was unavoidably absent at the time the changes were made, and

WHEREAS, Mr. Flippo no longer concurs with the bill as substituted, he would like to respectfully request that his name be stricken as a sponsor of the bill and further requests that the Senate strike his name as a sponsor of the bill.

On motion of Mr. Flippo, the rules were suspended and the resolution H. J. R. 159, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 67. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES concurring, that the Acts of the Second and Third Special Sessions, 1971-72 be bound together.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the S. J. R. 67, set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the resolution, H. J. R. 142, and ordered same returned to the House with a favorable report.

On motion of Mr. St. John, the resolution, H. J. R. 142, was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Stokes, Downing, Wood, Callahan, Therrell, Collins and Lyons:

H. J. R. 160. HONORING ROBERT T. CUNNINGHAM OF MOBILE FOR BEING NAMED PRESIDENT OF THE INTERNATIONAL SOCIETY OF BARRISTERS.

WHEREAS THE Honorable Robert T. Cunningham Attorney at Law of Mobile, Alabama was recently named the President of the International Society of Barristers at a recent convention held in Hawaii; and

WHEREAS this organization is an international organization consisting of outstanding and noted trial attorneys from throughout the world; and

WHEREAS Mr. Cunningham is a senior partner in the law firm of Cunningham, Bound and Byrd of Mobile, Alabama and has had many honors bestowed upon him by his brother lawyers; and

WHEREAS he is past president of the Alabama Trial Lawyers Association, past president of the Mobile County Bar Association, a director of the International Academy of Trial Lawyers and a member of the American Bar Foundation, a member of the State Bar of Texas, a member of the Alabama Law Institute, a member of the Law Science Academy and a member of the Mobile Alabama and American Bar Associations; and

WHEREAS Mr. Robert T. Cunningham is much beloved and respected by his fellow lawyers and his legions of friends throughout Alabama and the world; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do congratulate Robert T. Cunningham of Mobile upon his recent elevation to the presidency of the International Society of Barristers and do commend him for the many honors that have been bestowed upon him and do heartily thank him on behalf of the people of Alabama for the many services he has rendered to his profession, his area and his State.

The Clerk of the House is hereby instructed to transmit a copy of this resolution to the Honorable Robert T. Cunningham of Mobile.

On motion of Mr. Stokes, the rules were suspended and the resolution H. J. R. 160, was adopted.

Also:

By Mr. Snell:

H. J. R. 161. DECLARING THAT THE LEGISLATIVE INTENT OF ACT NO. 3, H. B. 4, PASSED IN THE SECOND SPECIAL SESSION OF 1971, WAS TO USE THE WORDING "CITY OF LANETT, ALABAMA" AS A REFERENCE POINT FOR THE PURPOSE OF SELECTING A SITE FOR THE BRANCH CAMPUS OF SOUTHERN UNION STATE JUNIOR COLLEGE

WHEREAS, Act No. 3, H. B. 4 of the Second Special Session of 1971 was passed by the Legislature, including an amendment to appropriate funds for the construction of a branch of Southern Union State Junior College at Lanett, Alabama;

WHEREAS, the wording of the amendment indicates that the branch is to be constructed in the "City of Lanett, Alabama", restricts the choice of available sites for the branch campus; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislative intent of the amendment to Act No. 3, H. B. 4, approved in the Second Special Session of the 1971 Alabama Legislature, was to use the "City of Lanett, Alabama" as a reference point to indicate that the branch campus must be constructed within the police jurisdiction of Lanett but not necessarily confined to the corporate limits of the City of Lanett.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the State Superintendent of Education and the Attorney General of Alabama.

On motion of Mr. Snell, the rules were suspended and the resolution, H. J. R. 161, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 33. Re-creating the Joint Interim Committee on Agriculture.

Also:

S. J. R. 50. Congratulating Governor George C. Wallace for his selection as one of the 10 most admired men in the world today.

Also:

S. J. R. 63. Repealing an Act creating the Birmingham National Geological Monument Commission.

Also:

S. J. R. 64. Congratulating members of the Alabama Association of Nursing Students for their efforts to render service to State Mental Hospitals and their patients.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

And the bill:

S. 111. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

And the bill:

S. 110. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, to provide for an annual expense allowance for the judge of the inferior court of such counties.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

And the bill:

S. 172. To amend Section 1 of Act No. 1002, Regular Session, 1971, of the Alabama Legislature, an act relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census, authorizing the constable serving the county court to appoint a deputy constable, and providing for the term, duties and compensation of such deputy constable.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	McCluskey
Adams	Collins	Gafford	McCorquodale
Adwell	Connell	Gloor	McDonald
Agee	Coshatt	Goodwin	Manley
Baker	Crawford	Grainger	Mathews
Bank	Cross	Gray (F)	May
Barkett	Crowe	Grey (D)	Merrill
Bassett	Culver	Hale	Mims
Benton	Dill	Hardin	Naramore
Boles	Doss	Harris	O'Daniel
Bowers	Downing	Headley	Owens
Brassell	Drake	Hill	Parker (H)
Burgess	Easters	Hobbie	Parker (T)
Callahan	Edwards	Jackson	Perloff
Carnes	Ellis	Jones (E)	Pruitt
Carter	Erdreich	Kinsey	Reed (T)
Casey	Falkenburg	Lang	Reid (R)
Cherner	Fite	Lutz	Reynolds

Robertson	Stewart	Timmons	Weeks	
St. John	Stokes	Turnham	Williams	
Slate	Straiton	Waggoner	Wise	
Smith (K)	Stubbs	Waldrop	Wood	
Smith (P)	Taylor	Wallace	Wynot	
Snell	Therrell	Warren		—95

And the bill:

S. 204. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Was taken up.

On motion of Mr. Lang, the bill, S. 204, was indefinitely postponed.

And the bill:

S. 211. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Was taken up.

On motion of Mr. Stubbs, the bill, S. 211, was indefinitely postponed.

And the bill:

S. 220. To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the use of the proceeds of any such securities issued by any such

Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

And the bill:

S. 171. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent

federal decennial census; to provide an additional expense allowance for the probate judge of said counties.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

S. 202 TEMPORARILY CARRIED OVER

On motion of Mr. Stewart, S. 202 was temporarily carried over.

And the bill:

S. 51. Relating to any county having a population of not less than 34,000 nor more than 34,800; to abolish the fine and forfeiture fund of such county; to provide for the payment of certain fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Doss
Adams	Bowers	Collins	Downing
Adwell	Brassell	Connell	Drake
Agee	Burgess	Coshatt	Easters
Baker	Callahan	Crawford	Edwards
Bank	Carnes	Cross	Ellis
Barkett	Carter	Crowe	Erdreich
Bassett	Casey	Culver	Falkenburg
Benton	Cherner	Dill	Fite

Flippo	Kinsey	Parker (T)	Stubbs
Gafford	Lang	Perloff	Taylor
Gloor	Lutz	Pruitt	Therrell
Goodwin	McCluskey	Reed (T)	Timmons
Grainger	McCorquodale	Reid (R)	Turnham
Gray (F)	McDonald	Reynolds	Waggoner
Grey (D)	Manley	Robertson	Waldrop
Hale	Mathews	St. John	Wallace
Hardin	May	Slate	Warren
Harris	Merrill	Smith (K)	Weeks
Headley	Mims	Smith (P)	Williams
Hill	Naramore	Snell	Wise
Hobbie	O'Daniel	Stewart	Wood
Jackson	Owens	Stokes	Wynot
Jones (E)	Parker (H)	Straiton	—95

And the bill:

S. 173. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; to provide further for the compensation of the Board of Registrars.

Was taken up.

On motion of Mr. Hardin, the bill, S. 173, was indefinitely postponed.

And the bill:

S. 174. Relating to counties having a population of not less than 21,924, nor more than 22,960, according to the most recent Federal Decennial Census; providing expense allowances for the members of the County Commission of said counties.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

And the bill:

S. 217. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Robertson
Adams	Culver	Jackson	St. John
Adwell	Dill	Jones (E)	Slate
Agee	Doss	Kinsey	Smith (K)
Baker	Downing	Lang	Smith (P)
Bank	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McCorquodale	Stokes
Benton	Ellis	McDonald	Straiton
Boles	Erdreich	Manley	Stubbs
Bowers	Falkenburg	Mathews	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turnham
Carnes	Gloor	Naramore	Waggoner
Carter	Goodwin	O'Daniel	Waldrop
Casey	Grainger	Owens	Wallace
Cherner	Gray (F)	Parker (H)	Warren
Chesnut	Grey (D)	Parker (T)	Weeks
Collins	Hale	Perloff	Williams
Connell	Hardin	Pruitt	Wise
Coshatt	Harris	Reed (T)	Wood
Crawford	Headley	Reid (R)	Wynot
Cross	Hill	Reynolds	—95

And the bill:

S. 218. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Goodwin
Adams	Carnes	Doss	Grainger
Adwell	Carter	Downing	Gray (F)
Agee	Casey	Drake	Grey (D)
Baker	Cherner	Easters	Hale
Bank	Chesnut	Edwards	Hardin
Barkett	Collins	Ellis	Harris
Bassett	Connell	Erdreich	Headley
Benton	Coshatt	Falkenburg	Hill
Boles	Crawford	Fite	Hobbie
Bowers	Cross	Flippo	Jackson
Brassell	Crowe	Gafford	Jones (E)
Burgess	Culver	Gloor	Kinsey

Lang	O'Daniel	Slate	Turnham	
Lutz	Owens	Smith (K)	Waggoner	
McCluskey	Parker (H)	Smith (P)	Waldrop	
McCorquodale	Parker (T)	Snell	Wallace	
McDonald	Perloff	Stewart	Warren	
Manley	Pruitt	Stokes	Weeks	
Mathews	Reed (T)	Straiton	Williams	
May	Reid (R)	Stubbs	Wise	
Merrill	Reynolds	Taylor	Wood	
Mims	Robertson	Therrell	Wynot	
Naramore	St. John	Timmons		—95

RESOLUTIONS

The following resolutions were introduced:

By Mr. Collins:

H. J. R. 162. WHEREAS it is provided in Act No. 51 of the 1947 Legislature that one member of the Gulf States Marine Fisheries Commission created by the Gulf States Marine Fisheries Compact should be from time to time elected by the Legislature of Alabama from its members;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring that Representative H. L. Callahan of Mobile County be elected and designated by the Legislature of Alabama to serve as a Commissioner on the said Gulf States Marine Fisheries Commission, as provided for in said Act No. 51 of the 1947 Legislature for a period of four (4) years or until his successor shall have been elected.

On motion of Mr. Collins, the rules were suspended and the resolution H. J. R. 162, was adopted.

Also:

By Mr. Hill:

H. J. R. 163. CONGRATULATING REPRESENTATIVE AND MRS. RONNIE G. FLIPPO ON TH BIRTH OF A SON.

WHEREAS the long awaited and happily anticipated son of Representative and Mrs. Ronnie Flippo arrived in Florence at eleven p. m. on February 1, 1972, weighing in at eight pounds, 10 ounces, and announcing his birth in loud and lusty tones; and

WHEREAS Representative Flippo is a highly respected and beloved member of this body who by his strict integrity and forceful manner has most effectively represented the best interests of his constituents and of the entire State of Alabama, thereby rapidly gaining the high esteem of his colleagues; and

WHEREAS the members of the Legislature and the many friends of Ronnie and Faye rejoice with them on the happy occasion of the birth of this fine son; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Representative and Mrs. Flippo and say to Master Ron Cooper Flippo, "This is Your World and Welcome to it."

RESOLVED FURTHER, That copies of this resolution be sent to Master Ron Cooper Flippo of 114 Lance Lane, Florence, Alabama 35630 and to his popular parents who reside with him at the same address.

On motion of Mr. Hill, the rules were suspended and the resolution, H. J. R. 163, was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Hill requested unanimous consent to allow all members of the House to add their names as co-authors of the H. J. R. 163, and it was so granted.

BILLS ON THIRD READING RESUMED

And the bill:

S. 225. To apply only in counties having populations of not less than 54,000 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Reynolds
Adwell	Dill	Jackson	Robertson
Baker	Doss	Jones (E)	St. John
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lang	Smith (P)
Bassett	Easters	Lutz	Snell
Benton	Edwards	McCluskey	Stewart
Bowers	Ellis	McCorquodale	Stokes
Callahan	Erdreich	McDonald	Straiton
Carnes	Falkenburg	Mathews	Stubbs
Carter	Fite	May	Taylor
Casey	Flippo	Meeks	Therrell
Cherner	Gafford	Mims	Timmons
Chesnut	Goodwin	Naramore	Turner
Collins	Grainger	O'Daniel	Waggoner
Connell	Gray (F)	Owens	Waldrop
Coshatt	Grey (D)	Parker (H)	Wallace
Cottingham	Hardin	Parker (T)	Warren
Crawford	Harris	Perloff	Williams
Cross	Headley	Pruitt	Wise
Crowe	Hill	Reid (R)	Wynot

—84

And the bill:

S. 198. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Reynolds
Adams	Doss	Jackson	Robertson
Adwell	Downing	Jones (E)	St. John
Baker	Drake	Kinsey	Slate
Bank	Easters	Lang	Smith (K)
Barkett	Edwards	Lutz	Smith (P)
Bassett	Ellis	McCluskey	Stewart
Benton	Erdreich	McCorquodale	Stokes
Bowers	Falkenburg	McDonald	Straiton
Callahan	Fite	Mathews	Stubbs
Carnes	Flippo	May	Taylor
Carter	Gafford	Meeks	Therrell
Casey	Gloor	Mims	Timmons
Cherner	Goodwin	Naramore	Turner
Chesnut	Grainger	O'Daniel	Waggoner
Collins	Gray (F)	Owens	Waldrop
Connell	Grey (D)	Parker (H)	Wallace
Coshatt	Hardin	Parker (T)	Warren
Cottingham	Harris	Perloff	Williams
Crawford	Headley	Pruitt	Wise
Cross	Hill	Reid (R)	Wynot
Crowe			

—85

And the bill:

S. 169. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act" Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their hom, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the highway department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Crowe
Adams	Boles	Chesnut	Culver
Adwell	Bowers	Collins	Doss
Baker	Brassell	Connell	Downing
Bank	Callahan	Cottingham	Drake
Barkett	Carnes	Crawford	Easters
Bassett	Carter	Cross	Edwards

Ellis	Hill	Naramore	Stokes
Erdreich	Hobbie	O'Daniel	Straiton
Falkenburg	Jackson	Owens	Stubbs
Fite	Jones (E)	Parker (T)	Therrell
Flippo	Kinsey	Perloff	Timmons
Gafford	Lang	Pruitt	Turner
Gloor	Lutz	Reid (R)	Waggoner
Goodwin	McCluskey	Reynolds	Waldrop
Grainger	McCorquodale	Robertson	Wallace
Gray (F)	McDonald	St. John	Warren
Grey (D)	Mathews	Slate	Williams
Hardin	May	Smith (K)	Wise
Harris	Meeks	Smith (P)	Wynot
Headley	Mims	Stewart	

—83

And the bill:

S. 170. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (E)	Robertson
Adams	Doss	Kinsey	St. John
Adwell	Downing	Lang	Slate
Bank	Drake	Lutz	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	Manley	Straiton
Brassell	Fite	Mathews	Stubbs
Callahan	Flippo	May	Taylor
Carnes	Gafford	Meeks	Therrell
Carter	Gloor	Mims	Timmons
Casey	Goodwin	Naramore	Turner
Cherner	Grainger	O'Daniel	Turnham
Chesnut	Gray (F)	Owens	Waggoner
Collins	Grey (D)	Parker (T)	Waldrop
Connell	Hardin	Perloff	Warren
Cottingham	Harris	Pruitt	Williams
Crawford	Headley	Reid (R)	Wise
Cross	Hill	Reynolds	Wynot
Crowe	Jackson		

—82

And the bill:

S. 162. To apply only in counties having a population of not less than 75,000 nor more than 90,000; to revise the requirements and salary of the Judge of any county court of general jurisdiction in such counties.

Was taken up.

On motion of Mr. Slate, S. 162, was indefinitely postponed.

RESOLUTION

The following resolution was introduced:

By Mr. Messrs. Boles, Adwell, Wallace, Jones (E), Naramore, Bowers, Culver, Parker (T), St. John, Reid (R), Grey (D), Goodwin, Reynolds, Dill, Cherner, Timmons, Parker (H) and Ellis:

H. J. R. 164. CREATING AN INTERIM COMMITTEE TO STUDY COMPLAINTS CONCERNING HUD AND OPERATION PRIDE.

WHEREAS There have been many complaints received by various members of the legislature concerning activities of HUD and Operation Pride, especially in the Jefferson County area; and

WHEREAS there is need to investigate these complaints and report back to the legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Committee to study HUD and Operation Pride and their activities in this State. Such committees shall be composed of three members of the House of Representatives appointed by the Speaker of the House and two members of the Senate who shall be appointed by the Lieutenant Governor. The committee shall select its own chairman.

It shall be the duty of the committee to meet as soon as practicable after the approval date of this resolution and from time to time thereafter upon call of the chairman and it shall hold at least one of its three initial meetings in Jefferson County and shall give public notice of such meeting.

Upon request of the chairman the Secretary of the Senate and Clerk of the House shall provide such clerical assistance as may be necessary for the committees work.

Members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day on which they are actually engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for the use of the legislature.

The committee shall report its initial findings to the Governor within fifteen days after holding its initial meeting in Jefferson County as provided above and shall make a final report of its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1973 Regular Session, whereupon the committee shall be dissolved.

On motion of Mr. Boles, the rules were suspended and the resolution, H. J. R. 164, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 20. TO CREATE A JOINT LEGISLATIVE COMMITTEE TO STUDY AND INVESTIGATE THE ALABAMA PRISON SYSTEM.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Reed (T), the House concurred in and adopted the Senate amendment to the resolution H. J. R. 20, said Senate amendment being as follows:

Amend Section 4 of H. J. R. 20 by deleting all words and figures following the word "services" in Section 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 150. Commending Representative Glenn Hearn.

Also:

H. J. R. 133. Commending Bob Brown for winning all Southeastern Conference honors.

Also:

H. J. R. 143. Congratulating Livingston State University football team for winning the National Association of Intercollegiate Athletics Championship.

Also:

H. J. R. 132. Thanking Mrs. Estelle Dean for twenty-five years of services.

Also:

H. J. R. 144. Requesting that Act No. 2431, H. 2569, Regular Session 1971, approved October 1, 1971, be named The Downing Act.

Also:

H. J. R. 145. Commending the security personnel of the State Board of Corrections for an outstanding job and for their cooperation with the members of the Legislature during their recent study of the penal system.

Also:

H. J. R. 148. Commending Paul (Bear) Bryant and Ralph (Shug) Jordan for their work and leadership on behalf of Alabama's mentally handicapped and naming the chapel at Bryce Hospital The Bryant-Jordan Chapel.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 271. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Also:

H. 273. To amend Title 42, Section 8 of the Code of Alabama 1940, as amended, so as to liberalize the conditions under which prisoners may be given temporary paroles and furloughs.

Also:

H. 435. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, Regular Session 1951 (Acts of Alabama 1951, p. 259) to provide certain educational benefits to dependents, children and wives of members of the Armed Forces listed as missing in action and listed as prisoners of war.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 265. To make appropriations from the Alabama Special Education Trust Fund in the State Treasury for the use and benefit of the Alabama Industrial School, Mt. Meigs, Alabama.

Also:

H. 328. To amend further Sections 5 and 22 of Act No. 2485, S. 483, 1971 Regular Session, approved October 1, 1971, entitled "An Act To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws," so as to provide further for the qualification of licensees and to change the effective date of said Act to October 1, 1972.

Also:

H. 329. To appropriate $15,000 to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. 338. To amend further Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), as amended, so as to exempt persons working for institutions of higher learning which are under the control of boards of trustees from having to secure approval of the Governor for out of state travel; providing also that Alabama State University and all other institutions of higher learning which do not have a board of trustees are also included within the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 92. To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 92

We, the committee of conference appointed to reconcile the disagreement of the two houses concerning the House and Senate amendments to S. B. 92, have met in conference, considered the matter in conference, and have agreed to the following report:

1. We recommend that the House and Senate accept the bill as substituted with the exception that the attached amendment be adopted in lieu of the House Floor Amendment.

Conferees on the part of the House

ROBERT GAFFORD

PAUL MEEKS, JR.

HORACE PARKER

Conferees on the part of the Senate

TOM KING

RICHARD DOMINICK

GEORGE LEWIS BAILES, JR.

Amend Section 1, Section 3 thereof, by deleting the clause beginning on the 13th line of Section 3, beginning with the words "provided further, that the board of" and ending with the words "persons as voters or electors;" and inserting in lieu thereof the following clause:

"provided further, that the board of registrars, upon petition of 25 or more resident citizens of any precinct who are eighteen years of age or over and who desire to be registered as voters or electors, shall meet at a regularly designated polling place or at such other place as selected by the board of registrars in such precinct of the county on any Thursday or Friday of any week for the purpose of registering qualified persons as voters or electors;"

And said Bill, S. B. 92, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House and Senate amendments to the bill, S. 92, said Report being set out in the above and foregoing Message from the Senate.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Dill	Headley	Perloff
Adams	Doss	Hill	Pruitt
Adwell	Downing	Hobbie	Reynolds
Bank	Easters	Jackson	Slate
Barkett	Edwards	Jones (E)	Smith (K)
Bassett	Ellis	Kinsey	Smith (P)
Benton	Erdreich	Lang	Stokes
Boles	Falkenburg	Lutz	Straiton
Callahan	Flippo	Manley	Stubbs
Carnes	Gafford	Mathews	Timmons
Carter	Gloor	May	Waggoner
Casey	Grainger	Merrill	Waldrop
Cherner	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Weeks
Collins	Hale	Owens	Williams
Cottingham	Hardin	Parker (H)	Wise
Cross	Harris	Parker (T)	Wynot
Culver			

—69

Nay: Mr. Crowe —1

And said bill, as amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Brassell	Connell	Easters
Adams	Callahan	Cottingham	Edwards
Adwell	Carnes	Cross	Ellis
Bank	Carter	Crowe	Erdreich
Barkett	Casey	Culver	Falkenburg
Bassett	Cherner	Dill	Flippo
Benton	Chesnut	Doss	Gafford
Bowers	Collins	Downing	Gloor

Grainger	Lang	Parker (H)	Therrell	
Gray (F)	Lutz	Parker (T)	Timmons	
Grey (D)	McCluskey	Perloff	Turner	
Hale	Manley	Pruitt	Turnham	
Hardin	Mathews	Reynolds	Waggoner	
Harris	May	Slate	Waldrop	
Headley	Meeks	Smith (K)	Wallace	
Hill	Merrill	Snell	Weeks	
Hobbie	Mims	Stewart	Williams	
Jackson	Naramore	Stokes	Wise	
Jones (E)	O'Daniel	Straiton	Wynot	
Kinsey	Owens	Stubbs		—79

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 398. Relating to counties having a population of not less than 26,725 nor more than 27,250 according to the most recent federal decennial census; to provide that the county commission may provide, by unanimous vote, an additional expense allowance to members of the county commission.

Also:

H. 400. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, approved August 19, 1971, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Baldwin County to the list of counties to which the Act does not apply.

Also:

H. 404. Relating to counties having a population of not less than 10,900 nor more than 11,500 inhabitants according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff; providing for deposit of fees in a Sheriff's Fund and providing for the use of such fund.

Also:

H. 407. To amend Act No. 51, H. 55 of the Third Special Session of 1971, approved December 13, 1971, entitled "An Act, Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this Act retroactive."

Also:

H. 408. To apply only in counties having populations of not less than 54,500 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Also:

H. 413. Relating to counties having a population of not less than 22,000 nor more than 22,500 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars, board of equalization and jury commission.

Also:

H. 414. To amend the title and Section 1 of Act No. 1626, H. 2235, Regular Session 1971, approved September 17, 1971, relating to a sheriff allowance for feeding prisoners in counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census so as to eliminate the sheriff fees and allowances for transporting insane and juvenile prisoners.

Also:

H. 416. Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Also:

H. 418. To apply only in counties having populations of not less than 100,000 nor more than 115,000; regulating the compensation of bailiffs serving the circuit courts of such counties.

Also:

H. 392. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 257. Relating to counties having a population of not less than 65,500 nor more than 75,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Also:

H. 182. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Also:

H. 231. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Also:

H. 359. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

Also:

H. 381. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars.

Also:

H. 292. Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Also:

H. 260. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 314. To alter, extend and add to the limits of the Town of McIntosh in Washington County, Alabama so as to include within the corporate limits of said Town certain other territory in Washington County, Alabama contiguous to said Town and to describe the area so added to the said limits of the Town of McIntosh.

Also:

H. 390. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 103. Congratulating the Elba High School Band for winning first place in the Peach Bowl Marching Contest in Atlanta, Georgia.

H. J. R. 104. Requesting that Act No. 407, H. 198, Regular Session 1971, approved August 6, 1971, be named the Timmons-Taylor-Lybrand Insurance Code Bill.

Also:

H. J. R. 107. Congratulating Representative John Culver upon becoming a grandfather.

Also:

H. J. R. 62. Congratulating Livingston State University Football Team for winning the National Association of Intercollegiate Athletics Championship.

Also:

H. J. R. 67. Congratulating Representative and Mrs. James D. Harris, Jr. on the birth of their daughter.

Also:

H. J. R. 87. Congratulating the University of Nebraska Football Team and Head Coach Bob Devaney for their selection as the Number One Team in the Nation.

Also:

H. J. R. 112. Relative to adjournment of the two Houses.

Also:

H. J. R. 125. To fix a day for holding the election on certain constitutional amendments proposed at the Third Special Session of the Legislature of 1971.

McDOWELL LEE,
Secretary.

UNANIMOUS CONSENT

At the request of Mr. Weeks, unanimous consent was granted to have the Journal show that he would have voted "Yea" on the bill, S. 170, had he been in the Chamber at the time of voting.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 153. Congratulating the Minor High School Band for winning first place in national contest in the Peach Bowl Marching Contest in Atlanta, Georgia.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Lyons, the House recessed until 7:00 o'clock p. m. this evening.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Downing:

H. J. R. 165. COMMENDING MRS. RUTH C. METTEE ON HER ELECTION AS THE PRESIDENT OF THE ALABAMA RECREATION ASSOCIATION

WHEREAS, Ruth C. Mettee, born and raised in the City of Mobile in the State of Alabama, is a member of the City of Mobile Recreation Department; and

WHEREAS, She has long been associated with the Alabama Recreation Association and its parent organization, the United States Recreation Association; and

WHEREAS, Because of the high esteem she has held with the National Recreation Association and the Alabama Recreation Association and her untiring, diligent, effective work in these organizations throughout the years and in recognition of her great ability as a recreation supervisor and the great love she has for the children of our nation and State; and

WHEREAS, The National Association has for many years appointed her to many of the important committees and special details which are necessary for the efficient operation of these associations; and

WHEREAS, The Alabama Recreation Association, recognizing the great ability, effective management and progressive manner of this great personage, Ruth C. Mettee, they elected her President of the Alabama Association.

NOW, THEREFORE, WE THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, IN ASSOCIATION WITH THE SENATE OF THE STATE OF ALABAMA, Do hereby commend Mrs. Ruth C. Mettee for her great contribution to the Recreation Association of the State of Alabama and to Alabama as a whole and to all of the children of the State of Alabama and commend her for being elected president of this wonderful association, the Alabama Recreation Association, and thank her for her contribution to this great State and direct the Clerk of the House of Representatives and the Secretary of the Senate to spread upon the minutes of the Journals of the House and the Senate this resolution and to convey to Mrs. Ruth C. Mettee and her family the high esteem which the members of the Legislature of Alabama hold for her and her great work in this State.

On motion of Mr. Downing, the rules were suspended and the resolution, H. J. R. 165, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 51. Relating to any county having a population of not less than 34,000 nor more than 34,800; to abolish the fine and forfeiture fund of such county; to provide for the payment of certain fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Also:

S. 92. To amend Section 3 of Act No. 695 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Also:

S. 110. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, to provide for an annual expense allowance for the judge of the inferior court of such counties.

Also:

S. 111. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties.

Also:

S. 169. To amend Section 8 of Act No. 159, S. 289, Regular Session, 1969 (Acts of Alabama 1969, Page 442) Approved July 10, 1969, entitled "An Act" Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the highway department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistant provisions of the Federal-Aid Highway Act of 1968, and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Also:

S. 170. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and

collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

Also:

S. 171. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties.

Also:

S. 172. To amend Section 1 of Act No. 1002, Regular Session, 1971, of the Alabama Legislature, an act relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census, authorizing the constable serving the county court to appoint a deputy constable, and providing for the term, duties and compensation of such deputy constable.

Also:

S. 174. Relating to counties having a population of not less than 21,924, nor more than 22,960, according to the most recent Federal Decennial Census; providing expense allowances for the members of the County Commission of said counties.

Also:

S. 198. To authorize the State Treasurer to withdraw from capital outlay funds the unexpended balance from the sum appropriated for such purposes, to Mt. Meigs Industrial School by Act No. 761, H. 622, Regular Session 1969, and to appropriate said balance to the school for operation and maintenance.

Also:

S. 217. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Also:

S. 218. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than seven nor more than sixteen Circuit Judges.

Also:

S. 220. To authorize and make provision for the incorporation in any municipality having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last or any subsequent Federal Decennial Census, of Authorities as public corporations for the purpose of promoting aviation in the counties in which such municipalities are located through the provision of airport facilities; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate,

improve and finance airport facilities; to confer on any such Authority the power of eminent domain; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any airport facilities or other property of such Authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such securities, and by a non-foreclosable mortgage and deed of trust on the facilities or property out of the revenues from which such securities are payable; to provide for constructive notice of any such pledge of revenues; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any airport facilities, or parts thereof, acquired by such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued or obligations theretofore assumed by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the State; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any airport facilities or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party, from all taxation in the state; to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exemp such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from certain tort liability and from certain zoning regulations; to provide that certain employees of any such Authority shall be subject to and covered by any merit or civil service system applicable to the employees of the municipality by which its incorporation was authorized; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

S. 225. To apply only in counties having populations of not less than 54,000 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 20. To create a Joint Legislative Committee to study and investigate the Alabama Prison System.

Also:

H. J. R. 62. Congratulating Livingston State University football team for winning the National Association of Intercollegiate Athletics Championship.

Also:

H. J. R. 67. Congratulating Representative and Mrs. James D. Harris, Jr. on the birth of their daughter.

Also:

H. J. R. 87. Congratulating the University of Nebraska Football Team and Head Coach Bob Devaney for their selection as the number one team in the Nation.

Also:

H. J. R. 103. Congratulating the Elba High School Band for winning first place in the Peach Bowl marching contest in Atlanta, Georgia.

Also:

H. J. R. 104. Naming Act No. 407, H. 198, Regular Session 1971 the Timmons-Taylor-Lybrand Insurance Code Bill.

Also:

H. J. R. 107. Congratulating Representative John Culver upon becoming a grandfather.

Also:

H. J. R. 125. To fix a day for holding the election on certain constitutional amendments proposed at the Third Special Session of the Legislature of 1971.

Also:

H. J. R. 132. Thanking Mrs. Estelle Dean for 25 years of services.

Also:

H. J. R. 133. Commending Bob Brown for winning All Southeastern Conference honors.

Also:

H. J. R. 143. Congratulating Livingston State University football team for winning the National Association of Intercollegiate Athletics Championship.

Also:

H. J. R. 144. Requesting that Act No. 2431, H. 2569, Regular Session 1971, approved October 1, 1971, be named the Downing Act.

Also:

H. J. R. 145. Commending the security personnel of the State Board of Corrections for an outstanding job and for their cooperation with the members of the Legislature during their recent study of the penal system.

Also:

H. J. R. 148. Commending Paul (Bear) Bryant and Ralph (Shug) Jordan for their work and leadership on behalf of Alabama's mentally handicapped and naming the chapel at Bryce Hospital the Bryant-Jordan Chapel.

Also:

H. J. R. 150. Commending Representative Glenn Hearn.

Also:

H. J. R. 153. CONGRATULATING THE MINOR HIGH SCHOOL BAND FOR WINNING FIRST PLACE IN NATIONAL CONTEST IN THE PEACH BOWL MARCHING CONTEST IN ATLANTA, GEORGIA.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 182. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of the City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Also:

H. 231. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Also:

H. 257. Relating to counties having population of not less than 65,500 nor more than 75,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Also:

H. 260. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 265. To make appropriations from the Alabama Special Education Trust Fund in the State Treasury for the use and benefit of the Alabama Industrial School, Mt. Meigs, Alabama.

Also:

H. 271. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Also:

H. 273. To amend Title 42, Section 8 of the Code of Alabama 1940, as amended, so as to liberalize the conditions under which prisoners may be given temporary paroles and furloughs.

Also:

H. 292. Relating to Sumter County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Also:

H. 328. To amend further Sections 5 and 22 of Act No. 2485, S. 483, 1971 Regular Session, approved October 1, 1971, entitled "An Act To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws," so as to provide further for the qualification of licensees and to change the effective date of said Act to October 1, 1972.

Also:

H. 329. To appropriate $15,000 to the Alabama Real Estate Commission for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. 338. To amend further Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), as amended, so as to exempt persons working for institutions of higher learning which are under the control of boards of trustees from having to secure approval of the Governor for out of state travel; providing also that Alabama State University and all other institutions of higher learning which do not have a board of trustees are also included within the provisions of this Act.

Also:

H. 359. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Grimes, in Dale County.

Also:

H. 381. Relating to counties having a population of not less than 13,000 nor more than 13,250 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars.

Also:

H. 390. Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of warrant clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation.

Also:

H. 392. To amend further the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), as amended, which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Also:

H. 398. Relating to counties having a population of not less than 26725 nor more than 27250 according to the most recent federal decennial census; to provide that the county commission may provide, by unanimous vote, an additional expense allowance to members of the county commission.

Also:

H. 400. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, approved August 19, 1971, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Baldwin County to the list of counties to which the Act does not apply.

Also:

H. 404. Relating to counties having a population of not less than 10,900 nor more than 11,500 inhabitants according to the most recent

federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff; providing for deposit of fees in a Sheriff's Fund and providing for the use of such fund.

Also:

H. 407. To amend Act No. 51, H. 55 of the Third Special Session of 1971, approved December 13, 1971, entitled "An Act, Relating to all counties having a population of not less than 30,000 nor more than 33,575; to provide further for the expenditure of pistol permit fees by the sheriff of such counties; to make the provisions of this Act retroactive."

Also:

H. 408. To apply only in counties having populations of not less than 54,500 nor more than 56,000; according to the most recent federal decennial census; providing for payment of highway lighting out of the Public Highway and Traffic Fund in such counties.

Also:

H. 413. Relating to counties having a population of not less than 22,000 nor more than 22,500 according to the most recent federal decennial census; authorizing the county commission, at its discretion, to provide an additional expense allowance of $10.00 per meeting for each member of the board of registrars, board of equalization and jury commission.

Also:

H. 414. To amend the title and Section 1 of Act No. 1626, H. 2235, Regular Session 1971, approved September 17, 1971, relating to a sheriff allowance for feeding prisoners in counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census so as to eliminate the sheriff fees and allowances for transporting insane and juvenile prisoners.

Also:

H. 416. Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census.

Also:

H. 418. To apply only in counties having populations of not less than 100,000 nor more than 115,000; regulating the compensation of bailiffs serving the circuit courts of such counties.

Also:

H. 435. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, Regular Session 1951 (Acts of Alabama 1951, p. 259) to provide certain educational benefits to dependents, children and wives of members of the Armed Forces listed as missing in action and listed as prisoners of war.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 165. Commending Mrs. Ruth C. Mettee on her election as the President of the Alabama Recreation Association.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 129. Congratulating Clettus Atkinson for winning the Ernie Pyle Memorial Award.

Also:

H. J. R. 126. Commending Olin B. Brooks for his contribution to the railroad industry.

Also:

H. J. R. 128. Congratulating Representative Alvis Naramore upon becoming a grandfather.

Also:

H. J. R. 136. Congratulating Representative Bert Nettles and his wife, Elizabeth, upon the birth of a baby daughter.

Also:

H. J. R. 138. Mourning the death of Edmond Carl DeCelle.

Also:

H. J. R. 139. Providing that the newly constructed student center at Gadsden State Junior College be named the "James C. Inzer Student Center".

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 126. Commending Olin B. Brooks for his contribution to the railroad industry.

Also:

H. J. R. 128. Congratulating Representative Alvis Naramore upon becoming a grandfather.

Also:

H. J. R. 129. CONGRATULATING CLETTUS ATKINSON FOR WINNING THE ERNIE PYLE MEMORIAL AWARD.

Also:

H. J. R. 136. Congratulating Representative Bert Nettles and his wife, Elizabeth, upon the birth of a baby daughter.

Also:

H. J. R. 138. Mourning the death of Edmond Carl DeCelle.

Also:

H. J. R. 139. Providing that the newly constructed Student Center at Gadsden State Junior College be named the "James C. Inzer Student Center".

Also:

H. J. R. 165. Commending Mrs. Ruth C. Mettee on Her Election as the President of the Alabama Recreation Association.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 258. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Also:

H. 281. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

Also:

H. 284. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear materials contained therein and all reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise used or useful in the production of electricity by persons regularly engaged in furnishing electricity to any person or persons from state, county and municipal taxes, licenses, fees and excises.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 152. Mourning the Death of J. D. Carroll of Huntsville.

Also:

H. J. R. 156. Commending Mrs. Virginia Weldon for a job well done and offering best wishes on her retirement.

Also:

H. J. R. 158. Requesting the Senate to delete the name of Representative Donald Stewart from House Bill 294.

Also:

H. J. R. 159. Requesting the Senate to delete the name of Representative Ronnie Flippo from House Bill 294.

Also:

H. J. R. 160. Honoring Robert T. Cunningham of Mobile for being named President of the International Society of Barristers.

Also:

H. J. R. 161. Declaring that the Legislative intent of Act No. 3, H. B. 4, passed in the second special session of 1971, was to use the wording "City of Lanett, Alabama" as a reference point for the purpose of selecting a site for the branch campus of Southern Union State Junior College.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 218. To make a supplemental appropriation to the Farmers Market Authority for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. 380. To make a supplemental appropriation from the State General Fund to the Alabama Commission on Aging for the purpose of matching Federal Funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that in accordance with the provisions of House Joint Resolution 159 and House Joint Resolution 158, the names of Mr. Stewart and Mr. Flippo have been removed from the Message from the House, from the Senate Register of House Bills, from the Reports of Committees. Said names have not been removed from the calendar of the Senate for the Twenty-sixth Day because it is impossible. Said names have also been removed from the House Bill that was sent to the Senate.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 67. Permitting the Acts of the Second and Third Special Session, 1971-72 to be bound together.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House to return the Bill, H. B. 314, to the Senate for further consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House acceded to the request of the Senate for the return of the bill, H. 314, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 284. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear materials contained therein and all reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise used or useful in the production of electricity by persons regularly engaged in furnishing electricity to any person or persons from state, county and municipal taxes, licenses, fees and excises.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 281. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 218. To make a supplemental appropriation to the Farmers Market Authority for the fiscal years ending September 30, 1972 and September 30, 1973.

Also:

H. 258. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Also:

H. 380. To make a supplemental appropriation from the State General Fund to the Alabama Commission on Aging for the purpose of matching Federal Funds.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

S. 121. Relative to municipalities in this state having a population of not less than 150,000 and not more than 300,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, convention and meeting facilities, providing ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity and providing off-street parking for the use of such enterprise; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such

municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor unless paid the reasonable value thereof; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; exempting any bonds issued under the act from the laws governing usury or prescribing or limiting interest rates; exempting the municipality from the provisions of Act No. 217 of the 1967 Special Session of the Legislature of Alabama, as amended, providing for competitive bidding, in connection with such properties and contracts and agreements in connection therewith; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Kinsey	Slate
Adams	Doss	Lang	Smith (K)
Adwell	Downing	Lutz	Smith (P)
Baker	Drake	McCluskey	Snell
Barkett	Easters	McCorquodale	Stewart
Benton	Edwards	McDonald	Stokes
Boles	Ellis	Manley	Straiton
Brassell	Erdreich	Mathews	Stubbs
Burgess	Falkenburg	Meeks	Taylor
Callahan	Flippo	Merrill	Therrell
Carnes	Gafford	Mims	Timmons
Carter	Grainger	Naramore	Turner
Casey	Gray (F)	O'Daniel	Turnham
Cherner	Grey (D)	Owens	Waggoner
Chesnut	Hale	Parker (H)	Waldrop
Collins	Harris	Parker (T)	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hill	Pruitt	Williams
Cottingham	Hobbie	Reed (T)	Wise
Crawford	Jackson	Robertson	Wynot
Cross	Jones (E)	St. John	—83

And the bill:

S. 202. To provide for the establishment of a civic center in the municipality wherein is located the county seat of any county of the State having a population of not less than 95,000 nor more than 115,000 ac-

cording to the most recent federal decennial census (any such county being hereinafter referred to in this title as "the county" or "such county"); to provide for the creation of a public corporation hereinafter called "the Authority," for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a board of directors and that its affairs shall be managed and controlled by the board of directors; to define the powers and authority of the board of directors, including the power to construct, maintain, control, operate and manage a civic center at the county seat and to borrow money and issue revenue bonds for such purpose; to prescribe the membership of the board of directors, the terms of office of the members thereof and to provide for their appointment and compensation; to prescribe the duties of the board of directors; to confer upon the Authority the power of eminent domain; to prescribe the type of buildings which may be erected as a part of such civic center and the use of such buildings; to authorize the county and any municipality therein to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the county or the municipality, as the case may be; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this Act.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (E)	Slate
Adams	Doss	Kinsey	Smith (P)
Baker	Downing	Lang	Snell
Barkett	Drake	Lutz	Stewart
Bassett	Easters	McCluskey	Stokes
Benton	Edwards	McDonald	Straiton
Boles	Ellis	Manley	Stubbs
Brassell	Erdreich	Mathews	Taylor
Callahan	Falkenburg	Meeks	Therrell
Carnes	Flippo	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Gray (F)	Naramore	Turnham
Cherner	Grey (D)	O'Daniel	Waggoner
Chesnut	Hale	Owens	Waldrop
Collins	Hardin	Parker (H)	Wallace
Connell	Harris	Parker (T)	Warren
Coshatt	Headley	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Robertson	Wynot
Cross	Jackson	St. John	—79

And the bill:

S. 231. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Dale County, and the regulation of costs and charges of courts in said county.

Was taken up.

Mr. Barkett offered the following substitute for the bill, S. 231:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Dale County and the regulation of fees, commissions, percentages, allowances and compensation of county officers of such county, and to authorize the legislature to regulate costs and charges of courts in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution, when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

Provided that the approval of the act by the qualified electors of Dale County at a referendum election is a prerequisite to the taking effect thereof:

1. The Legislature may from time to time, by general or local law, fix, alter and regulate the fees, commissions, percentages, allowances and compensation to be charged and received by any official of Dale County, including the right to place any of such officers on a salary, providing for the operation of their respective offices on such basis, and provide that any and all fees, commissions, percentages or allowances charged or collected by them shall be paid into the county treasury.

2. The Legislature may from time to time, by general or local law, provide for the transfer of the duties, or part of the duties, of one county officer of Dale County to another officer of such county; or consolidate any two or more offices of such county into one county office and provide for the abolition of the office or offices left without duties, or create a completely new office in such county and transfer to such office a part of the duties of each of several other offices without abolishing any office in such county; provided that the officer or officers to fill the offices involved will be compensated for the performance of the duties of their offices by a salary fixed according to law.

Provided, however, no law enacted prior to the ratification of this amendment putting any officer of Dale County on a salary basis, nor any law providing for the consolidation of any offices of such county shall have any force or effect, even though such act provided that it should become effective upon adoption of an amendment to the Constitution authorizing such act.

The Legislature may also, from time to time, by general special or local laws, fix, regulate and alter the cost and charges of courts in Dale County, and the method of disbursement thereof.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Slate
Adams	Downing	Lang	Smith (P)
Baker	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Bassett	Edwards	McDonald	Stokes
Benton	Ellis	Manley	Straiton
Boles	Erdreich	Mathews	Stubbs
Brassell	Falkenburg	Meeks	Taylor
Callahan	Flippo	Merrill	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Gray (F)	Naramore	Turner
Casey	Grey (D)	O'Daniel	Turnham
Cherner	Hale	Owens	Waggoner
Chesnut	Hardin	Parker (H)	Waldrop
Collins	Harris	Parker (T)	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hill	Pruitt	Weeks
Cottingham	Hobbie	Reed (T)	Williams
Crawford	Jackson	Robertson	Wise
Cross	Jones (E)	St. John	Wynot
Dill			

—81

And the bill, S. 231, as thus amended, was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (E)	St. John
Adams	Doss	Kinsey	Slate
Baker	Downing	Lang	Smith (P)
Barkett	Drake	Lutz	Snell
Bassett	Easters	McCluskey	Stewart
Benton	Edwards	McDonald	Stokes
Boles	Ellis	Manley	Straiton
Bowers	Erdreich	Mathews	Stubbs
Brassell	Falkenburg	Meeks	Therrell
Callahan	Flippo	Merrill	Timmons
Carnes	Gafford	Mims	Turner
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cherner	Grey (D)	Owens	Waldrop
Chesnut	Hale	Parker (H)	Wallace
Collins	Hardin	Parker (T)	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Pruitt	Williams
Cottingham	Hill	Reed (T)	Wise
Crawford	Hobbie	Robertson	Wynot
Cross	Jackson		

—82

And the bill:

S. 203. To repeal Act No. 358, H. 772, Regular Session 1953, (Acts 1953, p. 425), approved August 17, 1953, entitled, "An Act to define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and to create a Barbers' Commission for said county; and to fix the powers and duties of said commission; and to prescribe penalties for violations hereof."

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	St. John
Adams	Dill	Jones (E)	Slate
Baker	Doss	Kinsey	Smith (P)
Barkett	Downing	Lang	Snell
Bassett	Drake	Lutz	Stewart
Benton	Easters	McCluskey	Stokes
Boles	Edwards	McCorquodale	Straiton
Bowers	Ellis	McDonald	Stubbs
Brassell	Erdreich	Manley	Therrell
Burgess	Falkenburg	Mathews	Timmons
Callahan	Flippo	Meeks	Turner
Carnes	Gafford	Merrill	Turnham
Carter	Grainger	Mims	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cherner	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Parker (H)	Weeks
Connell	Harris	Perloff	Williams
Coshatt	Headley	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wynot
Crawford	Hobbie	Robertson	—83

RESOLUTION

And the following resolution was introduced:

By Messrs. Jones (E), Cherner, Parker (T), Boles, Dill, Robertson, Gloor, Weeks, Meeks, Ellis, Doss, Timmons, Turner and Cottingham:

H. J. R. 166. MOURNING THE DEATH OF MRS. R. L. ZEIGLER

WHEREAS the State of Alabama suffered a severe loss in the death of Mrs. Sophie Zeigler, widow of the founder of the R. L. Zeigler Meat Packing and Processing Company, one of the largest organizations of its kind in the country, with plants now in Bessemer, Tuscaloosa and Selma; and

WHEREAS Mr. and Mrs. Zeigler were widely known throughout the South and Southwest for their progressive business enterprises and charitable works; they established a large ranch in Aliceville, established a substantial stockyard in El Paso, Texas, and for many years operated Pine View Beach in Bessemer; and

WHEREAS Mr. and Mrs. Zeigler were always aware and responsive to the needs of people and made substantial contributions to the University

of Alabama Medical Center, making possible the R. L. and Sophie Zeigler Building at the Center; they contributed heavily to the construction program at St. Bernard's College in Cullman; Mrs. Zeigler was deeply interested in St. Francis Catholic Youth Center in Tuscaloosa and in St. Aloysius Youth Center in Bessemer; she was a perpetual member of the Pontifical Society for the Propagation of the faith and of the Pontifical Association of the Holy Childhood; and

WHEREAS Mrs. Zeigler had been awarded an honorary degree from St. Bernard's College and had received the Apostolic Blessing from the Pope; and

WHEREAS Mrs. Zeigler had no children, she is survived by a number of cousins including Margaret Bell of Tuscaloosa; Gertrude Schmitt, Jack and Pat Krahenbuhl of Birmingham, Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mrs. Zeigler, who was a selfless and gracious lady, and we extend our deepest sympathy to the surviving members of her family to whom copies of this resolution shall be sent.

On motion of Mr. Cherner, the rules were suspended and the resolution, H. J. R. 166, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 163. Congratulating Representative and Mrs. Ronnie G. Flippo on the birth of a son.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 230. To amend Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use

in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the House concurred in and adopted the Senate substitute for the bill, H. 230, said Senate substitute being as follows:

SYNOPSIS: This substitute provides a bond to secure the inspection fee collection and allows a reseller to post bond approved by the Commissioner of Agriculture and Industries and clarifies other provisions of Act No. 1403, Legislature of 1971, Regular Session, relating to collection of inspection fees on petroleum products.

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 3, 9, 10 and 12 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making

of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1," is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, when used in this act, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

" 'Gasoline' means gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, that are commonly used in internal combustion engines and are there ignited by electric spark.

" 'Diesel fuel' means those products of petroleum that are commonly used in internal combustion engines and are there ignited by pressure and not by electric spark and that are of the types commonly referred to and known commercially as diesel fuel No. 1 and diesel fuel No. 2; provided, however, "diesel fuel" shall not mean any petroleum product used in firing steam boilers or combustion generating turbines by compression.

" 'Kerosene' means that certain product of petroleum commonly referred to as kerosene and commonly used for illuminating, heating or cooking purposes, and other like products of petroleum used for the same purposes for which kerosene is commonly used, regardless of the actual purpose or purposes for which the said kerosene or other product may actually be used; provided, however, "kerosene" shall not mean any petroleum product used in firing steam boilers or combustion generating turbines by compression.

" 'Lubricating oil' means those products of petroleum that are commonly used in lubricating or oiling engines, and any devices or substitutes for such products of petroleum.

" 'Petroleum products' means gasoline, diesel fuel, kerosene and lubricating oil.

" 'Commissioner' means the officer known as the Commissioner of Agriculture and Industries provided for in Article V of the Constitution of Alabama of 1901 and in Article 2 of Title 2 of the Code of Alabama of 1940, as amended.

" 'Department' means the Department of Agriculture and Industries provided for in Chapter 1 of Title 2 of the Code of Alabama of 1940, as amended.

" 'Board' means the Board of Agriculture and Industries provided for in Article 3 of Chapter 1 of Title 2 of the Code of Alabama of 1940, as amended.

" 'State' means the State of Alabama.

" 'Person' means any natural person, firm, partnership, association, corporation, receiver, trust, estate, or other entity, or any other group or combination thereof, acting as a unit.

" 'Brand' means the trade name or other designation under which particular petroleum product is sold, offered for sale, or otherwise identified.

" 'Person First Selling' means any person as herein defined who first sells petroleum products in Alabama on which inspection fees are imposed by this act; unless such first sales is made to a reseller who elects in writing to qualify as a first seller by complying with the following provisions:

"(a) By making application which shall be approved by the commissioner of the Department of Agriculture and Industries, the reseller shall file with the Department of Agriculture and Industries a bond in an approximate amount equal to the average monthly inspection fee estimated by the commissioner of the Department of Agriculture and Industries which will be due by the reseller, provided that in no case shall the bond be less than two thousand five hundred dollars or more than five thousand dollars. The bond shall be in such form and amount as may be approved by the commissioner of the Department of Agriculture and Industries, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the state of Alabama, and be conditioned upon the prompt filing of true reports, and the payment by the reseller to the Department of Agriculture and Industries of any and all inspection fees which are imposed by this act with respect to any petroleum products and which, but for the election made pursuant to this section, would be payable by the person from whom said petroleum products are purchased by the reseller, together with all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act. In lieu of a guaranty bond, the reseller may post Alabama State coupon bonds, or United States government coupon bonds, under such terms, rules and regulations as may be approved by the commissioner of the Department of Agriculture and Industries."

"(b) In the event that liability upon any bond filed under the provisions of this act shall be discharged or reduced, whether by judgment rendered, payment made, or otherwise, or if in the opinion of the commissioner of the Department of Agriculture and Industries any surety on the bond theretofore given shall become unsatisfactory or unacceptable, then the commissioner of the Department of Agriculture and Industries may require the filing of a new or additional bond conditioned as hereinabove provided, and in the event of the failure of any reseller, within ten days after written notice to it by the commissioner of the Department of Agriculture and Industries to file such new or additional bond, the commissioner of the Department of Agriculture and Industries shall cancel the permit issued to such reseller.

"(c) If upon a hearing had by the commissioner of the Department of Agriculture and Industries after five days written notice to any reseller the commissioner of the Department of Agriculture and Industries shall decide that the amount of any existing bond filed by any reseller is insufficient, the commissioner of the Department of Agriculture and Industries may order such reseller to file, within ten days after written notice

by the commissioner of the Department of Agriculture and Industries to such reseller, a new or additional bond in such amount as the commissioner of the Department of Agriculture and Industries upon said hearing may find reasonably necessary to insure payment of all amounts due or to become due to the State of Alabama, conditioned as hereinabove provided, and if such new or additional bond is not filed within ten days after such notice from the commissioner of the Department of Agriculture and Industries, the commissioner of the Department of Agriculture and Industries may cancel the permit already issued to such reseller.

"(d) The commissioner of the Department of Agriculture and Industries may reduce the amount of any bond upon written application of any reseller if satisfied that a bond in a reduced amount will insure payment of all amounts due or to become due to the State of Alabama. The total amount of bond or bonds to be given by any reseller under this section shall in no event be less than two thousand five hundred dollars, nor more than five thousand dollars. Provided, however, that the commissioner of the Department of Agriculture and Industries may require such additional bond as may be deemed necessary to insure the prompt payment of all inspection fees on the sale or withdrawal of petroleum products, due or to become due the State by the reseller, but no demand for additional bond above five thousand dollars shall be made without first determining from a study of the reseller's financial statement which shall be supplied upon request of the commissioner of the Department of Agriculture and Industries, that such additional bond is necessary.

"(e) Any surety on any bond furnished by any reseller, as above provided, shall be released and discharged from any and all liability to the State of Alabama accruing on such bond after the expiration of sixty days from the date upon which surety shall have filed with the Department of Agriculture and Industries written request to be released and discharged, provided, however, that such request shall not operate to relieve, release or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said sixty day period. The commissioner of the Department of Agriculture and Industries shall promptly upon receipt of notice of such request notify the reseller who furnished such bond of the request of the surety on said bond, and unless such reseller shall, on or before the expiration of such sixty day period, file with the Department of Agriculture and Industries a new bond in the amount and form hereinbefore in this section provided, the commissioner of the Department of Agriculture and Industries shall forthwith cancel the permit of said reseller.

"The definitions hereinabove set forth shall be deemed applicable whether the words defined are herein used in the singular or plural.

"Any pronoun or pronouns used herein shall be deemed to include both singular and plural and to cover all genders."

Section 2. Section 3 of said Act No. 1403, H. 46, approved September 17, 1971, is hereby amended to read as follows:

"Section 3. Labelling requirement. Each person selling, offering for sale, storing or using in the State any petroleum product must label, or cause to be labelled, each tank car, tank, barrel, pump or other container in which such petroleum product is contained or marketed with the words "guaranteed legal standards", and with an additional word or words denot-

ing the precise character of the petroleum product in the container so labelled. Each word in the said label shall be legibly printed in letters not less than one-half inch in height. An alternate manner for container and other labeling information as required hereunder may be prescribed by the board pursuant to rules and regulations which shall be consistent with the evident intent and purposes of this Section."

Section 3. Section 9 of said Act No. 1403, H. 46, approved September 17, 1971, is hereby amended to read as follows:

"Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

(a) Gasoline: one-fortieth of one cent (1/40¢) per gallon,

(b) Diesel fuel other than that referred to in clauses (e), (f), (g), and (h) of this section: one cent (1¢) per gallon,

(c) Kerosene other than that referred to in clauses (e), (f), and (g) of this section: one cent (1¢) per gallon,

(d) Lubricating oil: fiften cents (15¢) per gallon,

(e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft: one-fortieth of one cent (1/40¢) per gallon,

(f) Kerosene or diesel fuel that is used by the ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: one-fortieth of one cent (1/40¢) per gallon,

(g) Kerosene or diesel fuel used by the ultimate consumer thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay production; provided, however, that the term "tractors" as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles: one-fortieth of one cent (1/40¢) per gallon,

(h) Diesel fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected in a manner determined and prescribed by the Commissioner. It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commissioner on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 5 hereof. If, at the time the said inspection fee is due, the person liable

therefore is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid or has been or will be used for a purpose or purposes specified in clauses (e), (f), (g) and (h) above, then such person shall be entitled to a credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine-fortieths of one cent (39/40¢) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such collection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or penalty shall be due or payable with respect to petroleum products which are sold or offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with respect to such petroleum products. It is further provided that the board shall have authority to adopt and promulgate reasonable rules and regulations to effectuate the evident intent and purpose of this section with respect to reporting, collection, remittance and payments of the petroleum products inspection fees imposed hereunder which shall not conflict with any of the express provisions and requirements of said section."

Section 4. Section 10 of said Act No. 1403, H. 46, approved September 17, 1971, is hereby amended to read as follows:

"Section 10. Invoice of Sale. It shall be the duty of each person selling in or for importation into the state any petroleum product to notify the Commissioner in writing by mail or otherwise on the day of shipment or other delivery for transportation, or within twenty-four hours thereafter, of such sale and shipment or delivery. Such notice shall briefly describe the particular petroleum product and the number of gallons thereof and shall state the name and address of the person to which such products are sold, shipped, or delivered. The provisions of this section shall not apply to either of the following: (a) any person who is operating under a permit from the Commissioner. No sale or delivery of petroleum products shall be made from a tank, wagon, motor vehicle or delivery truck unless the driver in charge of said vehicle shall deliver to the person receiving such product an invoice that (i) shows the number of gallons of said product, (ii) has plainly written or stamped thereon the words "guaranteed legal standard", and (iii) states that the inspection fee payable with respect to such petroleum product has been paid."

Section 5. Section 12 of said Act No. 1403, H. 46, approved September 17, 1971, is hereby amended to read as follows:

"Section 12. (a) Violations, Penalties; Procedure. Any person who sells or offers for sale or stores or uses any petroleum product in the state which is below the legal standard, or who makes a false statement or certificate as to the quality or standard of such petroleum product, or sells or offers for sale or stores or uses any petroleum product without having procured a permit as herein required, or fails to make any report to the Commissioner as herein required, or makes a false certificate of the number of gallons of such petroleum product sold or stored or used during the preceding month, or who otherwise violates or fails to comply with the provisions of this act, shall be guilty of a misdemeanor. The Commissioner may revoke the permit of any person found upon investigation to have sold or offered for sale or stored or used any petroleum product below the minimum standards adopted by the board pursuant to the provisions of this act, or who has failed or refused, after ten days notice by registered mail of such delinquency, to pay the inspection fee required by this act. The holder of any permit that may be revoked pursuant to the provisions of this section shall have the right, upon request of such holder, to a hearing before the Commissioner, at which such holder may appear personally or by legal representative, and he may appeal from the decision of the Commissioner by filing in the Circuit court of Montgomery County, Alabama, In Equity, a petition for an injunction against the Commissioner. In the event such an injunction is sought, sufficient bond shall be filed with the Court and conditioned as the law now provides relative to injunction bonds. The findings of the Commissioner shall be presumed to be correct.

"(b) Restraining and Enjoining Violations. In addition to penalty and other enforcement provisions of this Act and notwithstanding the existence of an adequate remedy at law, the Circuit Court In Equity or other court of like jurisdiction shall have jurisdiction and for cause shown to grant a temporary or permanent injunction, or both, restraining and enjoining any person from violation or continuing to violate any requirements of this Act declared to be unlawful under (b) of this Section, and any such person may also be restrained and enjoined from selling or offering for sale or storing or using any petroleum product without having a permit as required by this Act, or from selling, distributing, offering for sale, storing or using in this State any petroleum product upon which the

inspection fee imposed by this Act is not paid, or from otherwise violating any of the provisions and requirements of this Act. Said injunction shall be issued without bond. Any action commenced hereunder shall be brought in the name of the State of Alabama upon the relation of the Attorney General."

Section 6. Severability. The provisions of this Act are severable. If any provision or part of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

Section 7. Effective Date. The provisions of this Act shall become effective on March 1, 1972.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reed (T)
Adams	Crowe	Jackson	Robertson
Adwell	Dill	Jones (E)	St. John
Baker	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Bassett	Drake	Lutz	Smith (P)
Benton	Easters	McCluskey	Snell
Boles	Edwards	McCorquodale	Stewart
Bowers	Ellis	McDonald	Stokes
Brassell	Erdreich	Manley	Straiton
Burgess	Falkenburg	Mathews	Stubbs
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Gloor	Merrill	Turner
Casey	Grainger	Mims	Turnham
Cherner	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	O'Daniel	Wallace
Collins	Hale	Owens	Warren
Connell	Hardin	Parker (H)	Weeks
Coshatt	Harris	Parker (T)	Williams
Cottingham	Headley	Perloff	Wise
Crawford	Hill	Pruitt	Wynot

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And the bill, H. 230, as thus amended:

To amend Sections 1, 3, 9, 10 and 12 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each

such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Robertson
Adams	Dill	Jones (E)	St. John
Adwell	Doss	Kinsey	Slate
Baker	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Bassett	Easters	McCluskey	Snell
Benton	Edwards	McCorquodale	Stewart
Boles	Ellis	McDonald	Stokes
Bowers	Erdreich	Manley	Straiton
Brassell	Falkenburg	Mathews	Stubbs
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Gloor	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cherner	Grey (D)	O'Daniel	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker (H)	Warren
Connell	Harris	Parker (T)	Weeks
Coshatt	Headley	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wynot
Cross			

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RESOLUTION

The following resolution was adopted:

By Mr. Gloor:

H. J. R. 167. WHEREAS, on June 30, 1967, the Governor of Alabama designated the State Board of Health as the single State agency to develop and administer the State Plan for Medical Assistance (Medicaid) in conformity with Title XIX of the Federal Social Security Act; and

WHEREAS, the State Department of Pensions and Security has heretofore administered assistance on behalf of needy persons in Intermediate Care Facilities under Title I, X, and XIV of the Social Security Act and has included the cost of such assistance in its budgeted appropriations; and,

WHEREAS, Public Law 92-233 approved on December 28, 1971, amended Title XIX of the Social Security Act effective January 1, 1972, to provide for inclusion of care in Intermediate Care Facilities under Medicaid in order to continue receipt of Federal matching funds; and

WHEREAS, in order to continue to provide assistance to the needy people of Alabama in Intermediate Care Facilities and to continue receipt of Federal matching funds therefor, it is necessary to also designate the

State Board of Health as the single agency administering Medicaid, to administer the program providing for care in Intermediate Care Facilities, and to provide for the funding of said Intermediate Care Facility program;

NOW, THEREFORE; BE IT RESOLVED, by the Legislature of Alabama, both Houses thereof concurring:

1. That the State Board of Health is hereby authorized to develop and administer as part of the State Plan for Medical Assistance, the Intermediate Care Facilities program in conformity with Title XIX of the Federal Social Security Act.

2. That to implement the Intermediate Care Facilities program, the State Department of Pensions and Security shall assist in the orderly change-over and transfer of this program to the State Board of Health and shall place such funds as may be necessary to cover the cost of the Intermediate Care Facilities program, but not to exceed $450,000 per quarter, into a special account with the State Comptroller and State Treasurer to be disbursed on the order of the State Board of Health and such funds shall be used for payments on behalf of public assistance recipients receiving intermediate care in Nursing Homes.

On motion of Mr. Gloor, the rules were suspended and the resolution H. J. R. 167, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 152. Mourning the death of J. D. Carroll of Huntsville.

Also:

H. J. R. 156. Commending Mrs. Virginia Weldon for a job well done and offering best wishes on her retirement.

Also:

H. J. R. 158. Relative to Representative Donald Stewart.

Also:

H. J. R. 159. Relative to Representative Flippo requesting that his name be stricken as a sponsor of House Bill 294.

Also:

H. J. R. 160. Honoring Robert T. Cunningham of Mobile for being named President of the International Society of Barristers.

Also:

H. J. R. 161. Declaring that the legislative intent of Act No. 3, H. B. 4, Passed in the second Special Session of 1971, was to use the wording "City of Lanett, Alabama" as a reference point for the purpose

of selecting a site for the Branch Campus of Southern Union State Junior College.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House for its consideration:

H. J. R. 88. Creating a joint legislative committee on reapportionment.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 88, said Senate amendment being as follows:

Remove the period at the end of the last sentence and add the words and figures "up to a limit of $5,000.00."

And the resolution, H. J. R. 88, as thus amended, was again read and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House for its consideration:

H. J. R. 142. Creating an interim committee to study insurance rates.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 142, said Senate amendment being as follows:

Amend H. J. R. 142 by striking therefrom the fourth paragraph of said resolution in its entirety.

And the resolution, H. J. R. 142, as thus amended, was again read and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Register:

S. J. R. 73. DECLARING THE LEGISLATIVE INTENT WITH REGARD TO ACT NO. 1885, S. 1209, 1971 REGULAR SESSION, APPROVED SEPTEMBER 17, 1971.

WHEREAS Act No. 1885, S. 1209, 1971 Regular Session, approved September 17, 1971, was a local act with regard to Dale County, and was advertised in Dale County and which mentions Dale County in the title, Sections 7 and 8 thereof, but through a typographical error contains the name of Houston County in Section 1; and

WHEREAS it was always the intent of the Legislature that this Act apply solely to Dale County, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do officially declare and ordain that it is the intent of this Legislature that Act No. 1885, S. 1209, 1971 Regular Session, approved September 17, 1971, apply solely Dale County and that the words "Houston County" in Section 1 thereof are a typographical error and should be read "Dale County."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Barkett, the resolution, S. J. R. 73, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 121. Relative to municipalities in this state having a population of not less than 150,000 and not more than 300,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire properties suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, convention and meeting facilities, providing ground floor space

or other accommodations to others engaged in any business, trade, profession, occupation or activity and providing off-street parking for the use of such enterprise; authorizing such municipalities to lease such properties subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor unless paid the reasonable value thereof; providing that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; exempting any bonds issued under the act from the laws governing usury or prescribing or limiting interest rates; exempting the municipality from the provisions of Act No. 217 of the 1967 Special Session of the Legislature of Alabama, as amended, providing for competitive bidding, in connection with such properties and contracts and agreements in connection therewith; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

S. 202. To provide for the establishment of a civic center in the municipality wherein is located the county seat of any county of the State having a population of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census (any such county being hereinafter referred to in this title as "the county" or "such county"); to provide for the creation of a public corporation hereinafter called "the Authority," for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a board of directors and that its affairs shall be managed and controlled by the board of directors; to define the powers and authority of the board of directors, including the power to construct, maintain, control, operate and manage a civic center at the county seat and to borrow money and issue revenue bonds for such purpose; to prescribe the membership of the board of directors, the terms of office of the members thereof and to provide for their appointment and compensation; to prescribe the duties of the board of directors; to confer upon the Authority the power of eminent domain; to prescribe the type of buildings which may be erected as a part of such civic center and the use of such buildings; to authorize the county and any municipality therein to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the county or the municipality, as the case may be; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this Act.

Also:

S. 203. To repeal Act No. 358, H. 772, Regular Session 1953, (Acts 1953, p. 425), approved August 17, 1953, entitled, "An Act to define, regulate and license barbers and barber colleges, and other like businesses within the corporate limits and police jurisdiction of the incorporated municipalities in Calhoun County, Alabama; and to create a Barbers' Commission for said county; and to fix the powers and duties of said commission; and to prescribe penalties for violations hereof."

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 230. To amend Sections 1, 3, 9, 10 and 12 of Act No. 1403, H. 46, approved September 17, 1971, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1."

Also:

H. J. R. 88. Creating a permanent Joint Legislative Committee on Reapportionment.

Also:

H. J. R. 142. Creating an Interim Committee to study insurance rates.

Also:

H. J. R. 163. Congratulating Representative and Mrs. Ronnie G. Flippo on the birth of a son.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

APPOINTMENTS

The following interim committee appointments were made by the Speaker of the House of Representatives:

Under the provisions of H. J. R. 142, the Speaker appointed Messrs. Owens, Kinsey, Reid (R), Timmons and Baker as members of the Joint Interim Committee to Study Insurance Rates.

Under the provisions of H. J. R. 88, the Speaker appointed Messrs. Merrill, Jones (F), Cherner, McCorquodale, Turner, Wood and Carnes as members of the Permanent Joint Legislative Committee on Reapportionment.

Under the provisions of H. J. R. 20, the Speaker of the House appointed Messrs. Connell, Burgess, Mims, Falkenburg and Reed (T) as members of the Alabama Prison System Joint Legislative Study Committee.

Under the provisions of H. J. R. 75, the Speaker appointed Messrs. Grey (D), Lang and Smith (K) as members of the Fire Ant Study Commission.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 75, Act 264, creating the Fire Ant Study Commission, the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Foshee and Givhan.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 20, Act 285, creating a Joint Committee to Study Alabama Prison System, the President and Presiding Of-

ficer of the Senate has appointed as members on part of the Senate Messrs. Dozier, Jones, Owen, Wilder and Horne.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 142, Act 341, creating an Interim Committee to Study Insurance Rates, the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Owens, Weaver, Fine and Gilmore.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 88, Act 340, creating a permanent Joint Legislative Committee on Reapportionment, the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Pelham, Wilson, Clark, Fine, Littleton, Pierce and Vacca.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 166. Mourning the death of Mrs. R. L. Zeigler.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 166. Mourning the death of Mrs. R. L. Zeigler.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

COMMISSION APPOINTMENTS

Under the provisions of House Bill 261, Act 1937, 1971 Regular Session of the Legislature, the Speaker of the House has announced the appointment of Messrs. Wynot, Mims and Bowers as the House Members of the Women's Commission.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 74. WHEREAS, on June 30, 1967, the Governor of Alabama designated the State Board of Health as the single State agency to develop and administer the State Plan for Medical Assistance (Medicaid) in conformity with Title XIX of the Federal Social Security Act; and

WHEREAS, the State Department of Pensions and Security has heretofore administered assistance on behalf of needy persons in Intermediate Care Facilities under Title I, X, and XIV of the Social Security Act and has included the cost of such assistance in its budgeted appropriations; and,

WHEREAS, Public Law 92-233 approved on December 28, 1971, amended Title XIX of the Social Security Act effective January 1, 1972, to provide for inclusion of care in Intermediate Care Facilities under Medicaid in order to continue receipt of Federal matching funds; and

WHEREAS, in order to continue to provide assistance to the needy people of Alabama in Intermediate Care Facilities and to continue receipt of Federal matching funds therefor, it is necessary to also designate the State Board of Health as the single agency administering Medicaid, to administer the program providing for care in Intermediate Care Facilities, and to provide for the funding of said Intermediate Care Facility program;

NOW, THEREFORE, BE IT RESOLVED, by the Legislature of Alabama, both Houses thereof concurring:

1. That the State Board of Health is hereby authorized to develop and administer as part of the State Plan for Medical Assistance, the Intermediate Care Facilities program in conformity with Title XIX of the Federal Social Security Act.

2. That to implement the Intermediate Care Facilities program, the State Department of Pensions and Security shall assist in the orderly change-over and transfer of this program to the State Board of Health and shall place such funds as may be necessary to cover the cost of the Intermediate Care Facilities program, but not to exceed $450,000 per quarter, into a special account with the State Comptroller and State Treasurer to be disbursed on the order of the State Board of Health and such funds shall be used for payments on behalf of public assistance recipients receiving intermediate care in Nursing Homes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gloor, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 74, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in the House amendment to the Bill:

S. 231. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Dale County and the regulation of fees, commissions, percentages, allowances and compensation of county officers of such county, and to authorize the legislature to regulate costs and charges of courts in said county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 316. Proposing an amendment to the Constitution of Alabama to authorize the regulation of fees, commissions, percentages, allowances and compensation of county officers of Chilton, Dale and Jackson counties, and the regulation of costs and charges of courts in said counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Headley, the House non-concurred in the Senate amendments to the bill, H. 316, said Senate amendments being as follows:

Strike out "Dale" wherever it appears in the title.

Strike out "Dale County" wherever it appears in Section 1.

In Section 1 strike out in its entirety the Proposed Amendment, and insert in lieu thereof the following:

PROPOSED AMENDMENT

Except as herein provided, the legislature may from time to time, by general or local law, fix, alter and regulate the fees, commissions, percentages, allowances and compensation to be charged and received by any official of Chilton County, of Dale County or of Jackson County, including the right to place any of such officers on a salary, provide for the operation of their respective offices on such basis and provide that any and all fees, commissions, percentages or allowances charged or collected by them shall be paid into the county treasury. No law shall, however, be effective to diminish the compensation of any such officer of either county during the term for which he shall have been elected or appointed.

Provided no law regarding the compensation of any officer of any such county shall become effective unless it is approved by a referendum election held in the county for such purpose and if the electorate of any such county so approve at a referendum then any law enacted prior to the passage of this amendment fixing the compensation of officers of said county shall become effective immediately pursuant to the terms of said act.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	St. John
Adams	Crowe	Hill	Smith (K)
Baker	Culver	Hobbie	Smith (P)
Bank	Dill	Jackson	Snell
Barkett	Doss	Jones (E)	Stokes
Bassett	Downing	Kinsey	Straiton
Benton	Easters	Lang	Stubbs
Boles	Edwards	Lutz	Taylor
Bowers	Ellis	McCluskey	Therrell
Brassell	Flippo	McCorquodale	Timmons
Callahan	Gloor	May	Turnham
Carnes	Grainger	Meeks	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Owens	Wallace
Collins	Hale	Parker (T)	Wise
Connell	Hardin	Reed (T)	Wynot
Coshatt	Harris	Robertson	—67

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 231. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Dale County and the regulation of fees, commissions, percentages, allowances and compensation of county officers of such county, and to authorize the legislature to regulate costs and charges of courts in said county.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 74. Authorizing the State Board of Health to develop and administer as part of the State Plan for Medical Assistance.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SECOND AND THIRD SPECIAL SESSIONS 1971

LOBBYIST REGISTRATION PURSUANT TO HOUSE RULES 62 AND 63

Name	*Name of Firm*
Martha K. Adams	State Department of Labor
W. Douglas Amos	Alabama Savings and Loan League
Walter M. Anderson, Jr.	Alabama Railroad Association
Richard Arrington	Southern Railway
C. E. Avinger	Alabama Bankers Association
George F. (Bubber) Bailey, Jr.	Alabama Railroad Association
Schuyler A. Baker	University of Alabama and Alabama Truckers Association
Walter V. Bobo, Jr.	Public Service Employees Local Union
Allen Boland	Iron Workers Union Building Trade
Albert Boutwell	Jefferson County Commission
Thelma Braswell	Alabama Education Association
Olin B. Brooks	United Transportation Union
Richard J. Burrell	Household Finance Corporation
Bruce Carr	Labor Union
Joe C. Carroll	Sears, Roebuck & Co.
R. E. L. Choate	Massachusetts Mutual Insurance Co.
John L. Cousins	Fraternal Order of Police
John Hilary Cox, Jr.	Alabama State Nurses' Association

Name	*Name of Firm*
R. J. Cunningham	Alabama Association of Life Underwriters
Joseph C. Doudle	University of Alabama, Huntsville
Norman Duncan	J. C. Penny Company, Inc.
Milton R. Durrett	Multiple Association
Thomas M. Eden, Jr.	Alabama Textile Manufacturers Association
John Douglas Evans	Medical Association, State of Alabama
W. A. Fowler	Alabama Telephone Company
Cecil Frizzle	Hudson-Thompson, Inc.
Raymond B. George	Fire Fighters Association
O. J. Goodwyn	Teacher Organization, A. E. A.
Joe W. Graham	Alabama Forest Products Association
Francis M. (Pappy) Grove	Alabama LP-Gas Association
James W. Hall, Jr.	Alabama Press Association
Philip G. Hallam	Alabama Wholesale Beer Distributors Association
D. N. Hamilton	City of Montgomery Alabama League of Municipalities Alabama State Nurses' Association Alabama Savings & Loan League Alabama Association of Circuit Clerks and Registers Automotive Wholesaler's Association of Alabama Suburban Gas Companies Periodical Distributors of Alabama Catrala of Alabama, Inc. Legislative Committee, Alabama State Bar Association American Reciprocal Insurance Assoc.
Reginald T. Hamner	Alabama State Bar
James Whitfield Hart, Jr.	Alabama Petroleum Council
Frank H. Hawthorne	Alabama Power Company and affiliated companies
Thomas B. Henley	City of Montgomery
W. Lyle Hinds	Blue Cross-Blue Shield
Joe Hochderffer	Alabama Hospital Association

Name	*Name of Firm*
Mrs. Nita Hogg	Nursing Association
Mrs. Martha A. Hornbeak	Alabama Committee for Tax Reform, Incorporated
Paul R. Hubbert	Alabama Education Association
J. Reese Johnston, Jr.	Jefferson County, Alabama
Charles D. Kelley	Alabama Department of Conservation and Natural Resources
R. G. Kendall, Jr.	Alabama Railroad Association
Jess Lanier	City of Bessemer
Bill Lumpkin	Fire Fighters Association
W. L. McDaniel	Brick Mason Union No. 3 of Alabama
Charles McDonald	Alabama Council of Retail Merchants
Stewart P. McLaurin	Alabama Hotel-Motel Association Alabama Restaurant Association Alabama Wholesale Distributors Assoc. Alabama Meat Packers
Gilbert Mobley	Associated Industries of Alabama
Donald M. Monroe	Alabama Institute of Laundering, Dry Cleaning, and Rental Services
William B. Moore, Jr.	American Insurance Association and Health Insurance Association of America
Billy R. Morris	Steelworkers Legislative Commission of Alabama
Howard J. Morris, Jr.	Alabama Banking Association
L. Warren Moseley, Jr.	Alabama State Nurses Association
Howard L. Ollhoft	Mobile Fire Fighters Association
Milton K. Parsons	Alabama Farm Bureau Federation
L. P. Patterson	Medical Association, State of Alabama
W. Maxwell Peacock	Alabama Council of Retail Merchants
James Zac Perry	Home Builders Association of Alabama
Thermon Phillips	United Steelworkers of America
Earl C. Pippin	Alabama Consumer Finance Association

Name	*Name of Firm*
Dr. Charles S. Prigmore	Alabama Citizens for Environmental Action
Donald Pritchett	Public Service Employees, Local Union 1279
Robert S. Query, Jr.	Hudson-Thompson, Inc.
A. B. Reddick	Allstate Insurance Company
H. Gerald Reynolds	United States Pipe and Foundry Company, Inc.
James I. Ritchie	Alabama Trucking Association, Inc. A. T. A. Building, Inc. Yeoman-Amerson Adv., Inc.
W. C. Roach, Jr.	Alabama Telephone Company
Mrs. Joyce B. Rodgers	Alabama Dental Association
F. B. Ruffer	Alabama Asphalt Pavement Association
Robert J. Russell	Alabama Broadcasters Assn.
Wayne F. Schweitzer	Air Transport Association
Leonard L. Shertzer, Jr.	Alabama Road Builders' Association
Stanley M. Slater	Alabama Gas Corporation
Don R. Slatton	Home Builders Association of Alabama
Elno A. Smith	Gordon Whitfield
Joseph W. Smith	Alabama State Chamber of Commerce
Winston Stewart	Association of County Commissioners of Alabama
Leslie Stifflemire	Alabama Legislative Board UTU-(E)
Harold E. Streetman	Automobile Dealers Association of Alabama, Inc.
T. W. Thagard	Outdoor Advertising Association of Alabama United States Brewers Association Board of Dental Examiners of Alabama Alabama State Department of Education
Frank L. Thiemonge, Jr.	Alabama Safety Council
Richard Thigpen	University of Alabama
William A. Thompson	City of Birmingham

Name	*Name of Firm*
M. D. Thornton	State Department of Education
W. Bancroft Timmons	Alabama Motorists Association
C. C. Torbert, Jr.	Alabama Bankers Association
A. G. Trammell	Alabama AFL-CIO
W. E. Tucker	Alabama Fire Pension Fund Association
Kenneth W. Underwood, Jr.	South Central Bell Telephone Co.
R. Frank Ussery	American Mutual Insurance Alliance
Howard R. Vaughan	Liberty National Life Insurance Co.
John Franklin Watkins	Alabama League of Municipalities
James R. Watson	Alabama Home Furnishing Association
H. L. Welch	Carpenters Local Union 1796
J. Herbert White	Auburn University
James H. White, III	University of Alabama in Birmingham, Alabama
L. V. Whitey	Steelworkers Legislative Commission of Alabama
Charles H. Williams, Jr.	Mid-Continent Oil & Gas Assoc. Mississippi-Alabama Division
Eugene B. Williams	Professional Fire Fighters Association of Alabama
E. Ham Wilson	Alabama Cattlemen's Association

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:50 P. M. on February 4, 1972:

H. J. R. 140

Delivered to the Governor at 8:20 P. M. on February 4, 1972:

H. 182

H. 231

H. 257

H. 260

H. 265
H. 271
H. 273
H. 292
H. 328
H. 329
H. 338
H. 359
H. 381
H. 390
H. 392
H. 398
H. 400
H. 404
H. 407
H. 408
H. 413
H. 414
H. 416
H. 418
H. 435
H. J. R. 20
H. J. R. 62
H. J. R. 67
H. J. R. 87
H. J. R. 103
H. J. R. 104
H. J. R. 107
H. J. R. 125
H. J. R. 132
H. J. R. 133
H. J. R. 143
H. J. R. 144
H. J. R. 145

H. J. R. 148

H. J. R. 150

H. J. R. 153

Delivered to the Governor at 9:20 P. M. on February 4, 1972:

H. J. R. 129

H. J. R. 126

H. J. R. 128

H. J. R. 136

H. J. R. 138

H. J. R. 139

H. J. R. 165

Delivered to the Governor at 10:15 P. M. on February 4, 1972:

H. 284

Delivered to the Governor at 10:40 P. M. on February 4, 1972:

H. 281

H. 218

H. 258

H. 380

Delivered to the Governor at 11:35 P. M. on February 4, 1972:

H. 230

H. J. R. 88

H. J. R. 142

H. J. R. 163

H. J. R. 152

H. J. R. 156

H. J. R. 158

H. J. R. 159

H. J. R. 160

H. J. R. 161

Delivered to the Governor at 11:55 P. M. on February 4, 1972:

H. J. R. 166

JOHN W. PEMBERTON,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Gloor, the reading at length of the Journal of the House for the twenty-sixth Legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-sixth legislative day was approved.

ADJOURNMENT

On motion of Mr. Erdreich, the House adjourned sine die at 12 o'clock midnight.

G. SAGE LYONS
Speaker of the House of Representatives
of the Legislature of Alabama,
Third Special Session, 1971-72.

ATTEST:

JOHN W. PEMBERTON
Clerk of the House of Representatives
of the Legislature of Alabama,
Third Special Session, 1971-72.

HOUSE OF REPRESENTATIVES

THIRD EXTRAORDINARY SESSION 1971-72

ALPHABETICAL ROSTER AND DISTRICT

Charles H. Adams, 32
Robert G. Adwell, 14
Grover Lamar Agee, 33
John M. Baker, 8
Bert Bank, 18
Fred Barkett, 42
L. Gardner Bassett, 36
Thomas H. Benton, 38
Hugh Boles, 14
Drake Boutwell, 14
Quinton R. Bowers, 14
Bowen Brassell, 32
Ray Burgess, 16
H. L. Callahan, 37
D. B. (Dave) Carnes, 11
Tommy Carter, 2
John S. Casey, 22
David B. Cauthen, 6
Bennett L. Cherner, 14
Clarence Chesnut, Jr., 8
W. M. (Monty) Collins, 37
B. W. Connell, 43
Roy H. (Doc) Coshatt, 15
Paul C. Cottingham, 28
Buddy Crawford, 43
Wayland Cross, 2
Robert Crowe, 13
John L. Culver, 18
Richard F. Dill, 14
Chriss H. Doss, 14
Maurice A. "Casey" Downing, 37
Tom Drake, 7
Douglas Easters, 41
William D. Edwards, 29
Robert L. Ellis, Jr., 14
Ben L. Erdreich, 14
Francis Falkenburg, 14
Rankin Fite, 9
Ronnie G. Flippo, 1
Robert C. "Bob" Gafford, 14
Tom Gloor, 14
J. W. "Joe" Goodwin, 5
Charles Grainger, 3
Fred D. Gray, 31
D. C. Grey, 12
Douglas V. Hale, 3
W. E. "Gene" Hardin, Jr., 36
James D. Harris, Jr., 35
Lewis W. Headley, 24
Glenn H. Hearn, 3
Robert M. Hill, Jr., 1
Walker Hobbie, Jr., 35
Frank Jackson, 40
Fred R. Jones, 35
J. Earl Jones, 14
Bill G. King, 3
Daniel L. Kinsey, 38
William H. Lang, 17
Hartwell B. Lutz, 3
G. Sage Lyons, 37
Richard L. McBride, 14
Murray P. McCluskey, 20
Joe C. McCorquodale, Jr., 33
Sid McDonald, 7
Richard S. Manley, 27
Charles "Pete" Mathews, 21
Philip T. May, 39
J. Paul Meeks, Jr., 14
Hugh D. Merrill, 16
Maston Mims, 34
Alvis Naramore, 13
Bert Nettles, 37
H. H. (Runt) O'Daniel, 30
Walter Owens, 23
Horace W. Parker, 14
Tim Parker, 18
Mayer W. (Mike) Perloff, 37
Ira D. Pruitt, 27
Thomas J. Reed, 31
Ralph Reid, 10
Glen A. Reynolds, 5
Bill Roberts, 37
Edward D. Robertson, 18
Finis St. John, III, 7
Ralph E. Slate, 6
Kirby Smith, 25
Philip H. Smith, 20
Charles Snell, 26
Donald W. Stewart, 16
Ben Stokes, 37
James D. Straiton, 35
Tom Stubbs, 19
Sam Taylor, 35
Charles C. Therrell, 37
Robert D. "Bobby" Timmons, 14
W. Milam Turner, Jr., 28
Pete Turnham, 32
James T. Waggoner, Jr., 14
Gerald Wayne Waldrop, 11
Wade Wallace, 14
James E. Warren, 34
Raymond Weeks, 14
Bill Williams, 4
Harold B. Wise, 40
James C. (Jim) Wood, 37
Retha Deal Wynot, 11

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

THIRD EXTRAORDINARY SESSION 1971-72

OFFICERS

G. SAGE LYONS, *Speaker*, Mobile

TOM GLOOR, *Speaker Pro-Tem*, Birmingham

JOHN W. PEMBERTON, *Clerk*, Montgomery

THOMAS J. BRYAN, *Assistant Clerk*, Auburn

JAMES W. CAMERON, *Reading Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
	Place No. 1		
		Ronnie G. Flippo	P. O. Box 1221, Florence 35630
	Place No. 2		
		Robert M. (Bob) Hill, Jr.	P. O. Box 933, Florence 35630
2	LIMESTONE & LAWRENCE		
	Place No. 1		
		Tommy Carter	Rt. 2, Elkmont 35620
	Place No. 2		
		Wayland Cross	Box D, Courtland 35618
3	MADISON		
	Place No. 1		
		Hartwell B. Lutz	972 State Nat'l. Bk. Bldg., Huntsville 35801
	Place No. 2		
		Charles Grainger	300 Sparkman Dr., Huntsville 35807
	Place No. 3		
		Bill G. King	704 Eustis Ave., S. E., Huntsville 35801
	Place No. 4		
		Glenn H. Hearn	Rt. 1, Gurley 35748
	Place No. 5		
		Douglas V. Hale	8300 Whitesburg Dr. S., Huntsville 35802
4	JACKSON		
		Bill Williams	Rt. 1, Box 63, Hollywood 35752
5	COLBERT & FRANKLIN		
	Place No. 1		
		J. W. (Joe) Goodwin	310 Ford Rd., Muscle Shoals 35660
	Place No. 2		
		Glen A. Reynolds	Rt. 3, Tuscumbia 35674

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

6 MORGAN
Place No. 1
David B. Cauthen ..... P. O. Box 1685, Decatur 35601
Place No. 2
Ralph E. Slate ..... P. O. Box 1344, Decatur 35601

7 MARSHALL & CULLMAN
Place No. 1
Finis E. St. John, III ..... P. O. Drawer K, Cullman 35055
Place No. 2
Sid McDonald ..... P. O. Box 546, Arab 35016
Place No. 3
Tom Drake ..... P. O. Box 36, Cullman 35055

8 DeKALB & CHEROKEE
Place No. 1
John M. Baker ..... P. O. Box 186, Rainsville 35986
Place No. 2
Clarence Chesnut, Jr. ..... P. O. Box 98, Gaylesville 35973

9 MARION & WINSTON
Rankin Fite ..... P. O. Box 157, Hamilton 35570

10 BLOUNT
Ralph Reid ..... 1301 Park Ave., Oneonta 35121

11 ETOWAH
Place No. 1
Gerald Wayne Waldrop ..... 1995 Scenic Drive, Gadsden 35901
Place No. 2
D. B. "Dave" Carnes ..... 823 Forest Ave., Gadsden 35901
Place No. 3
Retha Deal Wynot ..... 1120 Bellevue Dr., Gadsden 35901

12 LAMAR & FAYETTE
D. C. Grey ..... P. O. Box 202, Berry 35546

13 WALKER
Place No. 1
Alvis Naramore ..... 5th Ave., 19th St., Jasper 35501
Place No. 2
Robert T. Crowe ..... 2109 Gamble Ave., Jasper 35501

14 JEFFERSON
Place No. 1
J. Paul Meeks, Jr. ..... 3043 Weatherton Dr., Birmingham 35223
Place No. 2
James T. Waggoner, Jr. ..... P. O. Box 10566, Birmingham 35202

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 3
Robert L. "Bob" Ellis, Jr. ..... Rt. 1, Box 509, Adamsville 35005
Place No. 4
Ben L. Erdreich..... 409 North 21st St., Suite 201, Birmingham 35203
Place No. 5
Richard F. Dill ..... 328 Observatory Dr., Birmingham 35206
Place No. 6
Robert D. "Bobby" Timmons ..... P. O. Box 8302, Ensley Station, Birmingham 35218
Place No. 7
Robert G. Adwell..... 2127 Pine Lane, Birmingham 35226
Place No. 8
Raymond Weeks ..... 3420 Altamont Rd., Birmingham 35205
Place No. 9
Chriss H. Doss ..... 917 Frank Nelson Bldg., Birmingham 35203
Place No. 10
Robert C. (Bob) Gafford ..... 5345 Division Ave., Birmingham 35201
Place No. 11
Wade Wallace ..... 516 So. 73rd St., Birmingham 35212
Place No. 12
Drake Boutwell ..... 4461 Clairmont Ave., Birmingham 35222
Place No. 13
Francis Falkenburg ..... 2309 20th Ave., South, Birmingham 35223
Place No. 14
Horace W. Parker ..... 240 Pineywood Rd., Gardendale 35071

Place No. 15
Quinton R. Bowers..... 1528 Shades Crest Road, Birmingham 35226
Place No. 16
Richard L. McBride ..... 3221 Ave. S, Apt. S, Birmingham 35208
Place No. 17
J. Earl Jones ..... 2022 Dartmouth Ave., Bessemer 35020
Place No. 18
Bennett L. Cherner ..... P. O. Box 669, Bessemer 35020
Place No. 19
Tom Gloor ..... Box 666, Bessemer 35020
Place No. 20
Hugh Boles ..... 2601 Carson Rd. Jeff State Jr. College, Birmingham 35215

15 ST. CLAIR

Roy H. (Doc) Coshatt ..... P. O. Box 766, Pell City 35125

16 CALHOUN

Place No. 1
Ray Burgess ..... 501 E. 49th St., Anniston 36201
Place No. 2
Hugh D. Merrill ..... P. O. Box 1498, Anniston 36201
Place No. 3
Donald W. Stewart..... 124 E. 10th St., Anniston 36201

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

17 PICKENS & GREENE
William H. Lang ..... P. O. Box 426, Reform 35481

18 TUSCALOOSA
Place No. 1
John L. Culver ..... Route 3, Box 166, Tuscaloosa 35401
Place No. 2
Edward D. Robertson ..... P. O. Box 331, Northport 35476
Place No. 3
Tim Parker ..... P. O. Box 72, Tuscaloosa 35401
Place No. 4
Bert Bank ..... P. O. Box 2000, Tuscaloosa 35401

19 SHELBY
Tom Stubbs ..... Rt. 1, Box 14, Helena 35080

20 TALLADEGA
Place No. 1
Murray P. McCluskey ..... Box 599, Sylacauga 35150
Place No. 2
Philip H. (Phil) Smith ..... P. O. Box 15, Talladega 35160

21 CLAY & COOSA
Charles (Pete) Mathews ..... Box 355, Ashland 36251

22 CLEBURNE & RANDOLPH
John S. Casey ..... P. O. Box 266, Heflin 36264

23 HALE & BIBB
Walter Owens ..... 107 Court Square, West, Centreville 35042

24 CHILTON
Lewis W. Headley ..... P. O. Box 471, Clanton 35045

25 TALLAPOOSA
Kirby Smith ..... Rt. 1, Box 572, Dadeville 36853

26 CHAMBERS
Charles Snell ..... P. O. Box 387, Fairfax 36854

27 SUMTER, MARENGO & PERRY
Place No. 1
Ira D. Pruitt ..... P. O. Drawer PP, Livingston 35470
Place No. 2
Richard S. Manley ..... P. O. Drawer U, Demopolis 36732

28 DALLAS
Place No. 1
Paul C. Cottingham ..... Rt. 2, Box 276A, Selma 36701
Place No. 2
W. Milam Turner, Jr. ..... 7 Mimosa St., Selma 36701

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

29 AUTAUGA & LOWNDES
William D. Edwards ..... Rt. 1, Ft. Deposit 36032

30 ELMORE
H. H. (Runt) O'Daniel ..... Box 416, Tallassee 36078

31 MACON, BULLOCK & BARBOUR
Place No. 1
Thomas J. Reed ..... P. O. Drawer EE, Tuskegee Institute 36088
Place No. 2
Fred D. Gray ..... P. O. Box 239, Tuskegee 36083

32 LEE & RUSSELL
Place No. 1
Bowen Brassell ..... P. O. Box 573, Phenix City 36867
Place No. 2
Pete Turnham ..... P. O. Box 1592, Auburn 36830
Place No. 3
Charles H. Adams ..... P. O. Box 967, Phenix City 36867

33 CHOCTAW, CLARKE & WASHINGTON
Place No. 1
Grover Lamar Agee ..... P. O. Box 250, Chatom 36518
Place No. 2
Joe C. McCorquodale, Jr. ..... P. O. Box 535, Jackson 36545

34 WILCOX, MONROE & CONECUH
Place No. 1
Maston Mims ..... Rt. 1, Uriah 36480
Place No. 2
James E. Warren ..... Box 207, Castleberry 36432

35 MONTGOMERY
Place No. 1
Sam W. Taylor ..... 2429 Woodley Rd., Montgomery 36111
Place No. 2
James D. Harris, Jr. ..... 1110 Union Bank Bldg., Montgomery 36104
Place No. 3
Walker Hobbie, Jr. ..... Rt. 1, Box 384, Montgomery 36105
Place No. 4
Fred R. Jones ..... 132 So. Perry St., Montgomery 36104
Place No. 5
James D. Straiton ..... P. O. Box 4292, Montgomery 36104

36 BUTLER, CRENSHAW & PIKE
Place No. 1
L. Gardner Bassett ..... 206 Orange St., Troy 36081
Place No. 2
William E. (Gene) Hardin, Jr. ..... P. O. Box 507, Greenville 36037

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

37 MOBILE

Place No. 1
James C. (Jim) Wood ..... 1010 Van Antwerp Bldg., Mobile 36602

Place No. 2
Ben Stokes ..... P. O. Box 293, Mobile 36601

Place No. 3
Mayer W. (Mike) Perloff ..... 257 St. Anthony St., Mobile 36603

Place No. 4
Charles C. Therrell ..... 203 No. Gould Ave., Whistler 36612

Place No. 5
H. L. Callahan ..... P. O. Box 1208, Mobile 36601

Place No. 6
G. Sage Lyons ..... P. O. Box 2727, Mobile 36601

Place No. 7
Bert Nettles ..... P. O. Box 2232, Mobile 36601

Place No. 8
Maurice A. "Casey" Downing ..... P. O. Box 4457, Mobile 36604

Place No. 9
W. M. (Monty) Collins ..... P. O. Box 1411, Mobile 36601

Place No. 10
Bill Roberts ..... 148 Tuscaloosa St., Mobile 36607

38 BALDWIN

Place No. 1
Daniel L. Kinsey ..... P. O. Box 877, Foley 36535

Place No. 2
Thomas H. Benton ..... Rt. 2, Box 185, Foley 36535

39 ESCAMBIA

Philip T. May ..... P. O. Box 326, Brewton 36426

40 COVINGTON & GENEVA

Place No. 1
Frank Jackson ..... Box 408, Opp 36467

Place No. 2
Harold B. Wise ..... Rt. 2, Box 156, Kinston 36453

41 COFFEE

Douglas Easters ..... 573 East Davis St., Elba 36323

42 DALE

Fred Barkett ..... Box 430, Ozark 36360

43 HOUSTON & HENRY

Place No. 1
Buddy Crawford ..... Columbia Road, Abbeville 36310

Place No. 2
B. W. Connell ..... Rt. 5, Box 141, Dothan 36301

ROSTER OF THE SENATE OF ALABAMA

THIRD EXTRAORDINARY SESSION 1971-72

Jere Beasley, *Lieutenant Governor* ..... Clayton

Pierre Pelham, *President Pro-Tem* ..... Mobile

McDowell Lee, *Secretary* ..... Montgomery

Mrs. F. B. Ruffer, *Assistant Secretary* ..... Montgomery

First Senatorial District—Lauderdale and Colbert Counties.
Stewart O'Bannon, Jr. ..... P. O. Box 147, Florence 35630

Second Senatorial District—Limestone and Morgan Counties.
Bob Harris ..... P. O. Box 1727, Decatur 35601

Third Senatorial District—Madison County.
Gene McLain ..... P. O. Box 2008, Huntsville 35804

Fourth Senatorial District—Jackson, DeKalb and Cherokee Counties.
Kenneth Hammond ..... Box 65, Valley Head 35989

Fifth Senatorial District—Franklin, Marion, Lawrence and Winston Counties.
Joe Fine ..... P. O. Box 818, Russellville 35653

Sixth Senatorial District—Cullman and Walker Counties.
Robert T. (Bob) Wilson ..... P. O. Box 1090, Jasper 35501

Seventh Senatorial District—Marshall, Blount and St. Clair Counties.
Aubrey J. Carr ..... 10 Windsor Drive, Guntersville 35976

Eighth Senatorial District—Etowah County.
Richard Malone ..... 416 Noccalula Drive, Gadsden 35901

Ninth Senatorial District—Calhoun County.
Fred Ray Lybrand ..... 1111 Quintard Avenue, Anniston 36201

Tenth Senatorial District—Lamar, Fayette, Pickens, Greene and Hale Counties.
James A. Branyon, II ..... P. O. Box 600, Fayette 35555

Eleventh Senatorial District—Tuscaloosa County.
Richard C. Shelby ..... 406 First Federal Savings Building, Tuscaloosa 35401

Twelfth Senatorial District—Jefferson County.

Place No. 1
Paschal P. "Pat" Vacca ..... 929-30 Frank Nelson Building, Birmingham 35203

Place No. 2
Tom King ..... 1403 City Federal Bldg., Birmingham 35203

Place No. 3
John H. Hawkins, Jr. ..... 1841 Montclair Dr., Birmingham 35216

Place No. 4
Richard Dominick ..... 927 Brown Marx Bldg., Birmingham 35203

Place No. 5
Geo. Lewis Bailes, Jr. ..... 621 Massey Bldg., Birmingham 35203

Place No. 6
Eddie Hubert Gilmore ..... P. O. Box 546, Bessemer 35020

ROSTER OF THE SENATE OF ALABAMA—Continued

Place No. 7
Doug Cook ..... 1620 Stonewall Dr., Birmingham 35226

Thirteenth Senatorial District—Talladega, Clay and Cleburne Counties.
Robert (Bobby) Weaver ..... P. O. Box 394, Talladega 35160

Fourteenth Senatorial District—Bibb, Perry and Dallas Counties.
Walter C. Givhan ..... Safford 36773

Fifteenth Senatorial District—Shelby, Coosa, Chilton and Autauga Counties.
Obie J. Littleton ..... P. O. Box 1288, Clanton 35045

Sixteenth Senatorial District—Tallapoosa, Elmore and Macon Counties.
Robert H. Wilder ..... P. O. Box 38, Dadeville 36853

Seventeenth Senatorial District—Randolph, Chambers and Lee Counties.
Don Horne ..... 308 South 13th Avenue, Lanett 36863

Eighteenth Senatorial District—Sumter, Marengo, Choctaw and Washington Counties.
W. H. (Pat) Lindsey, III ..... 126 S. Mulberry Avenue, Butler 36904

Nineteenth Senatorial District—Wilcox, Clarke, Monroe and Conecuh Counties.
Roland Cooper ..... P. O. Box 220, Camden 36726

Twentieth Senatorial District—Lowndes, Butler, Crenshaw and Covington Counties.
E. C. (Crum) Foshee ..... P. O. Box J, Red Level 36474

Twenty-first Senatorial District—Montgomery County.
Place No. 1
J. J. (Junie) Pierce ..... P. O. Box 485, Montgomery 36104
Place No. 2
W. Tom Jones ..... 2193 Woodley Road, Montgomery 36111

Twenty-second Senatorial District—Bullock, Pike, Coffee and Geneva Counties.
L. L. Dozier ..... P. O. Box 354, Troy 36081

Twenty-third Senatorial District—Russell, Barbour and Henry Counties.
James S. (Jimmy) Clark ..... P. O. Box 71, Eufaula 36027

Twenty-fourth Senatorial District—Mobile County.
Place No. 1
L. W. "Red" Noonan ..... 161 McGregor Avenue, Mobile 36608
Place No. 2
Pierre Pelham ..... 919 Dauphin Street, Mobile 36604
Place No. 3
Robert S. Edington ..... 50 St. Emanuel Street, Mobile 36602

Twenty-fifth Senatorial District—Baldwin and Escambia Counties.
L. D. (Dick) Owen, Jr. ..... P. O. Box 45, Bay Minette 36507

Twenty-sixth Senatorial District—Houston and Dale Counties.
Larry Register ..... P. O. Box 1845, Dothan 36301

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